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by Andrew Macmillan

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by J. B. Twomey

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Contents

Editor's Notes 83

Aranjuez—A Case Study in Rural Development
by Andrew Macmillan 84

Land Tenure Systems in the Western Pacific High Commission Territories—A Comparative Study *by J. B. Twomey* 96

Local Administration in Colombia
by Reza Rezazadeh 110

Mayoralty in India: No Case for More Powers
by P. A. James and *A. Muralidhar Rao* 121

District Development Committees in Malawi:
A Case Study in Rural Development *by Robert A. Miller* 129

Quarterly Notes 143

Book Reviews 147

Other Books Received 160

Editor's Notes

WHILE large-scale rural development schemes are inevitably those that generally catch the public eye, throughout the Third World many millions of farmers subsist on smallholdings and only rarely do a few find the means of achieving an economic break through to relative prosperity. In this Number we break new ground in publishing an account of the small, reasonably successful market gardening enterprise at Aranjuez in Trinidad. Andrew Macmillan draws attention to the deficiencies in the existing technical assistance provided to the farmers and to the out-dated paternalism of local advisers. He stresses that "the effectiveness of an extension service is closely related to the length of time in which its officers serve in one locality" and points out that where government agencies are suspected of being politically motivated, their effectiveness will be severely limited. The solution suggested is that technical assistance might best be handled objectively by a non-governmental institution such as a University. The conclusions drawn are relevant to many lands far beyond Trinidad. On a broader front Robert Miller describes how the district development committees function in Malawi and their very useful role in promoting rural development.

We intend to publish a series of articles dealing with land administration in different parts of the world. The first to appear is by J. B. Twomey in the form of a comparative study of the land tenure systems of the British Solomon Islands, the New Hebrides and Gilbert and Ellice Islands.

We also include two articles on local government. Professor Rezazadeh describes the local administration of Colombia where municipalities enjoy a special status as "an entity of natural origin" whose "existence pre-dates that of the State", both *de facto* and *de jure*. Attention is drawn to the anomaly of mayors appointed by government and often strangers to their municipalities, and to the lack of competent administrators at local level. Dr. James and Muralidhar Rao examine that controversial figure, the Mayor in India; many readers will find most convincing the argument adduced for an impartial presiding officer harmonizing both with his elected colleagues and with the officers of his Corporation, as infinitely preferable to the executive Mayor whose existence the authors would regard as an unnecessary indulgence in the contemporary craze for power.

Aranjuez
A Case Study in Rural Development*

By DR. ANDREW MACMILLAN

Dr. Macmillan is a member of the Agricultural Planning Unit, Ministry of Agriculture.

Introduction

THE Main Road in Aranjuez is, to all appearances, similar to any other street in the suburbs of Port-of-Spain. The houses, one storey up on concrete pillars, show that the population of the area is predominantly East Indian, but there is nothing to indicate that approximately one third of the 4,500 people who live in Aranjuez are dependent upon farming as their principal source of family income. Less than a quarter of a mile to the East of the Main Road, however, lie some 450 acres of cultivable land, divided into 300 tenant-operated holdings. It is with this relatively small area and with the market-gardeners who operate it, that this paper is concerned.

In the first section of the paper we shall look at the origins of vegetable growing in Aranjuez, and then trace the spectacular rate of growth in production achieved by the area in the last thirty years. In the second section we shall try to identify the ingredients of this growth, and discuss the relative importance of the various stimuli which provoked it. As it would be misleading to infer that there have been no setbacks in the recent history of Aranjuez we shall also consider some of the problems which have interrupted the process of development, and which seem likely to recur in the future. Finally, by way of conclusion, we shall discuss the impact of external agencies as sources of change on the pattern of market-gardening in the district.

The Origins and Growth of Vegetable Production in Aranjuez

Until the 1930's, the history of Aranjuez was similar to that of most other small sugar estates in Trinidad. At times of good prices, considerable amounts of capital were invested in milling machinery, but the field operations remained labour-intensive, a perpetual source of dismay to the planter. The most serious labour crisis was occasioned by the abolition of slavery, which resulted in an absolute shortage of labour available for plantation work in the Island, a situation which was only resolved by the importation of contracted (or "indentured") labourers from other countries. Immigrant workers were brought from a number of countries, including Madeira and China, but it was soon found by planters (not only in the West Indies but also in Fiji and Mauritius) that the most satisfactory labourers came from India. Immigrant ships plied regularly between Calcutta and Port-of-Spain from 1847 until

* This article was originally prepared for the Overseas Development Institute, London, as part of the Institute's rural studies programme.

1917. The gardeners of Aranjuez are the descendants of these indentured labourers.

The birth of the modern system of small-holding tenancies in Aranjuez may be traced to the depression which struck the sugar planters in the 1890's and which led to the introduction of the "cane-farming" system. Under this system, which still exists in many parts of the Trinidad sugar belt, land was leased to tenants who contracted to sell their harvested canes to the Estate factories "at a price below the cost at which the estates can produce them." Most of the cane-farming tenants in Aranjuez were labourers who had completed their contractual obligations on an estate.

Although there were occasional attempts at diversification – the cultivation of watercress and of sweet potatoes, for instance – sugar cane remained the principal crop on the Estate's tenanted lands until the 1930's, when the World-wide depression forced many cane-farmers out of production. Much of the better land was either abandoned or planted with wet season rice, grown for subsistence purposes.

The Estate was fortunate to have as its Manager at this time a man of remarkable farsightedness. Amid considerable opposition from the tenants – his scheme involved the raising of rents – he initiated the construction of an infrastructure of irrigation and drainage channels, and a network of access roads throughout the principal agricultural area. The completion of the infrastructural development was interrupted by the Manager's untimely death, but a sufficiently large area had been transformed to enable the tenants to start cultivating crops other than cane and rice.

The tenants of Aranjuez were left, in 1937, in a position very similar to that of many new landholders in land settlement schemes throughout the World today. Their holdings were provided with the physical equipment required to facilitate a change in land-use, but there was nobody to tell them how to use it, and no market to receive the produce. Had the tenants not been experienced farmers and entrepreneurs, it is possible that the Estate lands would have remained in a permanent state of abandonment. It seems, in fact, that, apart from a short period of increased activity under the stimulus of a war-time "Grow More Food" campaign, there was little significant growth in vegetable production for some 10 to 15 years after the installation of the infrastructure. Since the late 1940's, however, production from the district has grown at a most remarkable rate. Between 1950 and 1966, the total annual production of vegetables from Aranjuez increased by an estimated 6.7 times (Table I), equivalent to a compound average annual increase of approximately 14 per cent. In contrast to this, it is reported that between 1951 and 1961 national "food production increased in real terms by approximately 25 per cent, yielding, therefore, an annual rate of growth of just over two per cent"[1]; and since 1961 there has, apparently, only been a small increase

[1] Rampersad, F. B., "Growth and Structural Change in the Economy of Trinidad and Tobago, 1951-1961" in: *C.S.O. Research Papers* (*No.* 1), Trinidad, Central Statistical Office, 1963, p. 105.

in the total output of vegetables in Trinidad. As it is estimated that Aranjuez now produces approximately one-third of all the vegetables grown on the Island, these figures imply that production from other districts has, in fact, been falling.[2]

Table I: *Total Production of Vegetables*:

Aranjuez, 1949–1950 *and* 1966

	Quantity of Vegetables produced	
	1949–1950	1966
	'000 *lbs.*	
Tomato	257	2,848
Cabbage	233	1,549
Melongene	164	738
Other Vegetables	297	1,188
TOTAL PRODUCTION	951	6,323

Although it is not the intention of this paper to describe in much detail, the system of gardening which has evolved in Aranjuez, it seems useful to present a summary of the costs and returns involved in producing vegetables in the area, for this will show the scale of operations in which the gardeners are now involved. The relatively high level of annual costs and returns per holding acre (Table 2) shows that methods of production in Aranjuez are very intensive. Similarly, a labour input, equivalent to 1,650 man-hours per acre per year, demonstrates that gardeners are still largely dependent upon manual methods of cultivation for most operations in the crop production cycle. On almost every holding the use of tractors is confined to rotavating before planting, and no other operations are generally mechanized. The cost of material inputs, however, is large and provides clear evidence of the commercial nature of market-gardening in the area, and suggests that a number of modern practices are in general use throughout the district. Data from the records of individual crops show that for some crops, such as dry season tomatoes, there is a close correlation between the amount spent on materials and yield, and indicate that still higher material inputs can be justified economically.

[2] The encroachment of an expanding of Port-of-Spain upon agricultural land led to the cessation of competitive vegetable production in the Diego Martin Valley in the late 1950's and early 1960's.

Table II

A. *Composition of Average Annual Costs and Returns per holding acre: Aranjuez* 1966

Variable Costs	*Cost per acre to nearest dollar*	*Indirect Costs*	*dollars per acre*
Type of Input			
Family Labour	479	Rent	10
Paid Labour	346	Interest on * Working Capital	35
Tractor	67	Depreciation on Tools	15
Weedkillers	4		
Sprays	89		
Fertilizers & Manure	223		
Seeds	16		
Other	1		
Total Variable Costs	1,225	TOTAL INDIRECT COSTS	60

* *NOTE:* The Working Capital involved in the production of a crop varies from day to day. $500.00 has been estimated as the amount of working capital employed, while interest has been charged at 7 per cent (the rate payable on loans from Agricultural Credit Societies).

B. *Summary of Costs and Returns*

	To nearest dollar per acre
Total Gross Returns	2,040
Total Variable Costs	1,225
Gross Margin	815
Total Indirect Costs	60
NET GARDEN INCOME	755

Source: Crop Records

Further evidence of the highly commercial nature of gardening in Aranjuez could be drawn from an examination of the cropping pattern in the area. With the exception of lettuce, individual crops are seldom grown on areas of less than 1/6th acre: tomatoes and cabbage, the two principal crops, are normally grown in plots at least ½ acre. In only a few gardens is any specific area reserved for crops for family consumption. As a result, most gardeners purchase their vegetable requirements except where these coincide with the crops they happen to be producing at the time.

In the following section we shall consider how this relatively modern commercial approach to market-gardening has developed in Aranjuez.

HOW GROWTH WAS ACHIEVED

The Technical Basis for Growth

The increase in the quantity of vegetables produced in Aranjuez from under one million pounds (in 1949-50) to over six million pounds (in 1966) has been brought about by the substitution of modern for traditional techniques. Innovations have been introduced into the area sporadically and without planning, and, as a result, characteristically traditional practices can be seen in use beside the most sophisticated of modern methods. The gardener who arduously irrigates his crops with a bucket may sterilize his seed-patches with Methyl Bromide, or control weeds among his tomatoes or cabbages with the most up-to-date selective herbicides. In spite of this apparent imbalance between the traditional and the modern, enough new techniques have been introduced in a short period to have permitted very radical changes in the whole system of production. Traditional practices, conventional in the 1940's, restricted gardeners to cultivating no more than one vegetable crop each year on the same piece of land. New techniques introduced in the last 15–20 years, however, have caused an actual increase in the average intensity of vegetable cultivation of about 330 per cent[3], and have made it feasible for the most ambitious gardeners to grow at least four crops per year on the same piece of land. The "experts" had predicted that a reduction in fallow periods and rice cropping would impoverish the land, but the yield of individual crops actually doubled between 1949–50 and 1966, and there is no indication that there has been any general decline in the fertility status of the soil, whether measured in physical or chemical terms.

Though a wide range of innovations has contributed to the increase in annual production, four can be singled out for their particularly significant contribution. First, the introduction of inorganic fertilizers released gardeners from their dependence upon livestock as the sole source of manure, and so allowed them to grow an area of vegetables which bore no relationship to the number of cattle which they maintained. The more recent substitution of "combined" fertilizers for single element fertilizers has probably also contributed significantly to increasing yields. Secondly, the adoption of the tractor-mounted rotavator as a replacement for the fork-in-land preparation, not only reduced the gardener's dependence upon casual labour during peak activity periods, but also cut down the time-gap between two successive crops to as little as a single day. As is normal, however, increases in the intensity of cultivation led to serious pest and disease problems, and the traditional methods of removing "worms" from infected plants with a needle, and of pruning diseased leaves, became quite inadequate to cope with the new pathogens. Chemical control of pests and diseases is now standard practice in all the gardens, the most significant advance in this field having been made between 1956 and 1961 by the adoption of systemic insecticides. The fourth important area of innovation has been in the use of new crop varieties. It was traditional practice for gardeners to purchase seeds only for those crops, such as cabbage, cauliflower or lettuce, which did not set viable

[3] The total annual vegetable crop area rose from under 300 acres in 1949-50 to nearly 1,000 acres by 1966.

seed in Trinidad, and to sow home-produced seed for the other crops. Between 1959 and 1965, however, all gardeners began to use imported seeds for dry season tomato production, and many are now trying out imported standard varieties of cucumber, sweet pepper, watermelon and patchoi as substitutes for their local cultivars. The adoption of improved tomato varieties has led not only to an increase in yield, and yield potential, but also to a very marked improvement in fruit quality.

In this paper we are not concerned so much with the mechanics of the growth in vegetable production in Aranjuez as with the much more fundamental question of why this growth process began, and why it has been sustained. In the following pages, therefore, we shall first consider some of the more general reasons for this growth, and then we shall look in some detail at the origins of the four innovations mentioned above.

The Climate for Growth

We have already observed that the installation of the infrastructure just before the Second World War facilitated a change-over from cane-farming to vegetable cultivation, but did not apparently act as an identifiable stimulus to increased production. The principal production stimuli appear to have been, on the one hand a growth in the national demand for intensively produced vegetables, and on the other, an acceptance by the gardeners of the need to maintain a relatively high standard of living.

An absolute increase in population of between 2 and 3 per cent per annum, accompanied by a steady rise in standards of living would have accounted for a considerable portion of the increased demand for vegetables, but not a sufficient amount to absorb annual supply increases of approximately 14 per cent. Urban population, however, was growing at a higher rate than population in the rural sector, and so the average per capita requirements for purchased foods were increasing at a rate which would have been considerably greater than the rate of national population growth. Part of this increased demand for vegetables, however, has been satisfied by a growth in fresh vegetable imports, which has only partially been offset by an increase in exports, which still account for no more than 5 per cent of the national annual production of vegetables.

The development of relatively efficient methods of intensive vegetable production in Aranjuez has made it progressively more difficult for the traditional sources of supply – subsistence holdings, marketing an unplanned surplus – to compete in the open market. As a result, the market has become dominated by the gardeners of Aranjuez, and producers from other districts now offer proportionally less for sale.

Such a ready demand for intensively produced and relatively cheap vegetables has, of course, acted as a strong and constant incentive for gardeners to work towards raising the level of production from their gardens and to reduce unit costs still further. This incentive has become all the more forceful because the location of Aranjuez, in the suburbs of Port-of-Spain, has made the gardeners conscious of the need to increase their family incomes. In the past, status evaluation in rural Indian communities was on the basis of caste or age, and the unchallenged leaders in Aranjuez were consistently

drawn from among the Estate's farming tenants; but since the Second World War wealth and education have become the criteria most widely accepted for status assessment throughout the country. Under such conditions, the gardeners find it difficult to maintain their position as leaders in the community; for two-thirds of the families which live in the area are dependent upon "urban" jobs for their income, and income levels in the towns have been rising steadily. As would be expected, the educational attainment of persons with non-agricultural employment is also higher.

The threat to a gardener of a reduction in his standard of living, relative to that of his neighbours, may have one of two effects. Either, if he is adaptable, he may leave gardening and find work in the "urban" sector, or he may remain as a market-gardener, and try every available means to increase his income in order to maintain his economic position in the community. A comparison of the scores of gardeners and non-gardeners on an arbitrary level of living index has demonstrated that the average level of living of gardeners in Aranjuez is below that of the other members of the community. The fact that 20 per cent of the gardeners (compared with 30 per cent of the non-gardeners) have scores of 10 or over, however, shows that levels of living, comparable to the highest displayed in the community, can be attained by successful gardeners, and thus acts as an incentive to those who are less successful to remain in market-gardening.

Innovation and Cooperation

It may be argued that, given the control of productive land, equipped with an adequate infrastructure, and faced with such powerful market and environmental socio-economic incentives, the gardeners of Aranjuez could hardly have failed to make rapid progress over the last thirty years. A typical response to such incentives in many tropical small-farming communities (in which the owner-operator is often under-employed) would be an almost unconscious increase in the input of family labour. In Aranjuez, however, operator underemployment ceased to be a problem after the transition from sugar cane to labour-intensive vegetable cultivation, and so any increases in production are largely attributable to technological innovation. The adoption of new techniques is a considerably more sophisticated and positive response to incentives for raising income, than the mere intensification of labour use: and it is achieved only as a result of serious thought by individual gardeners. While the existence of facilities and incentives provides the necessary permissive environment for the positive evaluation of potentially useful innovations, the first and subsequent farmers who decide to adopt such innovations must have strong personal motives for wishing to do so. There appear to be two complementary innovation-motivating forces at work among the gardeners of Aranjuez: the first, a direct response to the incentives discussed above, is a desire to increase net incomes by raising yields per acre, and, where possible, cutting production costs; while the second might be described as "one-upmanship".

There is no need to enlarge upon the gardeners' motives for desiring increased incomes, but it may be useful to discuss the second motive in greater depth, as it is exhibited with unusual intensity in Aranjuez. We have

already referred briefly to the significance of community (or "political") leadership as an incentive to gardeners to improve their economic status. Within the gardening sector of the community, however, it is possible to identify a complementary pattern of leadership, which could be described as "professional" leadership. "Political" leaders are often, though not necessarily, also "professional" leaders. The "professional" leaders of Aranjuez are those gardeners who are generally recognized by their fellow-tenants to be technically superior, in the sense that they consistently obtain high yields, that their gardens appear well cared for, and that they maintain a reputation for being innovators. This kind of leadership pattern exists in almost every farming community, but it is generally more stable, even being heritable from generation to generation. In Aranjuez, however, the layout of the gardening area – with closely spaced access roads, and no hedge or fence to separate one holding from another – is such that a man's garden (and, consequently, his professional reputation) is constantly displayed to his critics. Success or failure cannot be hidden, and, as a result, accepted "professional" leaders are very conscious of the importance of maintaining their tenuous position consistently.

While most gardeners in Aranjuez have a remarkably clear recognition of their problems, only those who aspire to "professional" leadership actively seek solutions. It is through these few persons that most innovations come to Aranjuez. Nevertheless, it is somewhat misleading to describe the most outstanding professional gardeners in Aranjuez as "leaders", because their motives for innovating are normally totally selfish, and every attempt is made by the successful innovator to conceal his "secret" from other gardeners. It has been known, for instance, for gardeners to go to the extent of publicising the fact that they have been using a new "medicine" with success, and subsequently leaving the used container of a quite different chemical (often a weed-killer) ostentatiously beside their garden. That gardeners have been "fooled" by such a ruse, demonstrates the strength of the following that some leaders develop in the area, and illustrates the extreme competitiveness of production in Aranjuez.

The introduction of most of the important innovations which are now incorporated in the system of gardening in Aranjuez has been initiated by individuals who have actively and successfully sought out solutions to problems which have already been identified by a large number of gardeners. In the absence of a permanent and effective extension service in the district[4], the introduction of only a few innovations can be attributed to "exterior" initiative. It is found, for instance, that the first tractor to work in Aranjuez was brought there by a particularly enterprising gardener (who has since retired from gardening, and stood as a parliamentary candidate in the last general election), at a time when agricultural economists at the neighbouring Imperial College of Tropical Agriculture (I.C.T.A.) were recommending that draught animals should provide the power source for "peasant farmers".[5]

[4] Aranjuez represents only a small part of a large district served by an Agricultural Assistant, whose work is largely administrative.

[5] See for example: Jolly, A. L., *Report on Peasant Experimental Farms at the Imperial College of Tropical Agriculture, Trinidad, BWI*, Trinidad, Caribbean Commission, 1954, p. 94.

Similarly, the initial introduction of some of the most successful vegetable varieties was made by gardeners who ordered seeds from abroad as a result of "studying" catalogues made available from foreign firms.

It seems that it is only when community recognition of a problem is very widespread, and when none of the "professional" leaders offer an effective solution, that corporate action is taken to seek a remedial innovation. This may be illustrated by the example of the introduction of systemic insecticides, as a response to the general recognition of the widespread damage caused by a specific pest, the Tomato Leaf-miner. In this instance, members of the district agricultural society delegated one of their officers to approach a member of the staff at I.C.T.A., who was known to have displayed an interest in the problems of the district, in order to find a method of controlling this pest.

The history of innovation in Aranjuez shows that the initiative for introducing changes in farming practice has normally been taken by an outstanding individual gardener, often for selfish reasons. It is our own experience that these same "professional" leaders, as well as many other gardeners, respond well to suggestions for change, and that it is only the absence of any organized motivating agency that has left the gardeners to rely on their own leaders to introduce changes. Such is the ruthless competitiveness among gardeners that, once introduced, a new material or technique becomes widely accepted within a very short time. As in every farming community there are sceptics as well as modernizers, but data on the adoption of the key innovations mentioned above show that little more than five years normally pass between the introduction and total adoption of an innovation.

While the initial introduction of few successful innovations can be attributed to the work of "exterior" agencies, a survey carried out in 1964[6] indicated that gardeners nevertheless acknowledge the influence of agricultural salesmen, extension personnel and University staff, as well as the press and radio, upon the spread of innovations. Further discussion with the gardeners, however, shows that there is seldom any conscious identification by them of a person who has influenced change, with the agency for which he may work. Within the same conversation, for instance, they may complain that "Government never does anything to assist we gardeners" and subsequently name one or two individuals (who work for the Ministry of Agriculture), as being people who have helped them. Such apparent inconsistencies only serve to demonstrate that the effectiveness of organized extension or sources of information may depend less upon the structure, ideas and programmes of the motivating agencies than upon the personality and demonstrated interest of the individuals whose responsibility it is to be in contact with farmers.

Progress in Aranjuez is, to a large extent, due to competitiveness within the gardening community, and hence most attempts to promote co-operative activities within the district have met with very limited success. The failure of an early attempt at co-operative marketing is now accepted by many gardeners as proof that further attempts at co-operation are doomed to fail.

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[6] The adoption of a number of innovations has been documented by: Negus, T. R., *Adoption of New Practices by Gardeners in Aranjuez, Trinidad.* Trinidad, D.T.A. Report, 1964 (not published).

In a more mature community engaged in similar activities, co-operation and competitiveness could exist side by side: the gardeners could continue to try to outyield each other in the field, but at the same time could work together to secure materials at a lower cost and to sell their produce in a less competitive market. But the strength of competition between gardeners, and the existence of many intra-community divisions – economic, religious, racial, political and locational – has bred distrust. This atmosphere of distrust is intensified because most proposals for co-operative action originate in government departments and ministries, and are seen by gardeners, many of whom are opposed to the ruling party, to have political implications. These lines of dissension and distrust which split the gardening community are clearly defined, and any proposals for joint action must take them into account. Even though it is contrary to conventional principles of community development to promote rival bodies within the same community, it is felt that it is in the best immediate commercial interests of Aranjuez that this should be done. The Agricultural Credit Bank appears to have recognized these forces in acquiescing to the formation of three separate Agricultural Credit Societies in Aranjuez, each of which is now a stronger group than the District Agricultural Society which is meant to be the representative body for all farmers and gardeners in Aranjuez and neighbouring districts. In the longer term, however, it is hoped that the community will become more mature, accepting that the advantages of unified action in some operations outweigh the apparent disadvantages of collaboration with traditional competitors.

Conclusions

Most of this paper has been concerned either directly or indirectly with progress and change in Aranjuez. The picture which we have drawn of the district has emphasized the remarkably high rate of economic growth achieved by the gardeners during the past thirty years, and has implied that most of the fundamental changes on which this growth has been based have originated within the gardening community as a response to unusually strong environmental socio-economic incentives. By way of conclusion it seems appropriate to consider why the impact of those exterior agencies which could normally be expected to have played an important role in development, has, in fact, been relatively insignificant.

It is, of course, quite evident that there has been a general deficiency of work in the area by most agencies. This is a micro-level reflection of a situation which has affected almost all agricultural districts in Trinidad, for the extension services of the Ministry of Agriculture are insufficiently staffed and equipped to provide more than very low intensity advice to farmers. Although it is generally conceded that the prime responsibility for technical assistance lies with the Ministry of Agriculture, a number of commercial concerns, and students and staff of the University have made up for some of its deficiencies.

The apparent ineffectiveness of extension advice, however, appears to result not only from its paucity, but also from its content and the way in which it has been introduced to the district.

With few exceptions, advisers who have worked in the area have underestimated the complexity of the system of gardening practised in Aranjuez.

The recommendations which have been given to gardeners have often been of a less sophisticated nature than the existing practices that they are designed to supersede. As a result, the gardener feels that he knows more about vegetable production than the person who is expected to advise him. Recently it seems to have been recognized by the Ministry of Agriculture that the gardeners of Aranjuez require more specialized advice than farmers in other districts, but this acceptance has been used as a justification for concentrating extension work on more backward and remote areas, leaving Aranjuez unattended.

Not only does the advice which is offered tend to be of a too elementary nature for the peculiar needs of Aranjuez, but it is also, on occasions, technically incompetent, and hence further undermines the gardener's confidence in the value of its sources. Such incompetence sometimes results directly from poorly conceived policy directives from the Ministry of Agriculture. The Minister, for example, stated quite categorically at a meeting of gardeners in Aranjuez, that their request for long-term loans for the purchase of machinery and infrastructural improvement, could not be entertained as the crops grown in the area were short-term crops; and short-term crops, by their nature, only required short-term loans. Similarly, "good practices" are often recommended without due regard to their commercial implications, although it is widely recognized that the gardeners of Aranjuez are unusually businesslike in the management of their holdings.

The effectiveness of technical assistance in Aranjuez has been limited both by its qualitative deficiencies, such as those discussed above, and by the way in which advice has been presented to the gardeners. Advisory work has tended to be somewhat paternalistic. Only recently have advisers recognized that the market-gardeners of Aranjuez are no longer "peasants", a term which they delighted to use: and, even now, there are many instances of "talking down" to the gardeners by the "authorities". Gardeners are conscious of this and resent it.

Closely associated with such paternalism is the common failure of agencies working in Aranjuez to recognize the divisive and cohesive forces which are already active in the area. Most persons who need information or who require concerted action from the residents of Aranjuez, arrive there with the preconception that there must be a "leader" who commands the respect of the majority of the population. Almost invariably, they find themselves placing complete confidence in the most aggressive of the district's leaders, only to discover that by doing this, they have antagonized a large proportion of the population.

Except in the simplest of communities, the outsider requires considerable time to unravel the complexities of leadership and loyalty, and his effectiveness as an agent for change will be limited until he is able to take advantage of the relationships between different loyalty groups. This implies that the effectiveness of an extension service is closely related to the length of time in which its officers remain in one locality. It would also suggest that, once such permanence has been achieved, the extension services should act either in a consultant capacity or actually as a channel of communication for other agencies working in predominantly agricultural districts.

Finally, it may be concluded from the example of Aranjuez that the potential effectiveness of advice and guidance may be limited if it is believed amongst its recipients to be founded in political associations or motives. Most gardeners are members of the Opposition party, and hence regard any advice emanating from government officers with suspicion, but their strong commercial instincts guide them to integrate the best ideas, whatever their sources, into their farming systems. Though the prime reason for the closure of the Central Marketing Agency's new buying station, after only a few weeks' operations, was lack of patronage as a response to the relatively low prices offered, it is certain that the gardeners would have tried to maintain the buying station if it had not been opened by the Government shortly before a General Election. As long as their work is suspected as being politically motivated, the effectiveness of government agencies in promoting change will be severely limited, and it is realistic to think of technical assistance as something that should be handled objectively by non-governmental institutions, such as the University.

Land Tenure Systems in the Western Pacific High Commission Territories —A Comparative Study

By J. B. TWOMEY

Mr. Twomey is Commissioner of Lands and Surveys in the British Solomon Islands Protectorate. He attended the 1968-69 Cambridge Course on Development, and specialized in Land Administration.

Historical Aspects

In the southwest region of the Pacific Ocean are to be found three separately governed island territories administered by the High Commissioner for the Western Pacific. These territories are the *Condominium* of the New Hebrides, the *Colony* of the Gilbert and Ellice Islands and the *Protectorate* of the British Solomon Islands. Although this paper is primarily concerned with the present-day land tenure structures found in each, it would perhaps be appropriate to provide first some information regarding their constitutional status.

The Pacific Islanders Protection Act was passed by the Imperial Parliament at Westminster in 1872 and in the year 1875, by a subsequent enactment, provision was made for the appointment of a High Commissioner having jurisdiction over all British subjects throughout the Western Pacific. The first Order in Council, issued in 1877, made provisions controlling civil litigation between British subjects and also set out a code for dealing with their transgressions. It did not attempt to control the acts of the indigenous inhabitants within the area administered by the High Commissioner, unless these amounted to war.

Civil administration over a number of Pacific islands was established following the Proclamation of British Protectorates in the Gilbert and Ellice Islands in 1892 and over some of the Solomon Islands in 1893.

Additional Proclamations to extend the boundaries of the Solomon Islands Protectorate were made in 1897 and 1898. By the Samoan Tripartite Convention of 1899[1] a further territorial addition to the British Solomon

[1] Aspirations to include the island of Samoa within the German Empire in the latter half of the nineteenth century almost led to war between the United States of America and Germany. However, after each power had lost naval vessels in Apia Harbour (Samoa) in 1889 as a result of a hurricane (neither side would risk loss of prestige by ordering its vessels to sea to ride the hurricane) and the attendant loss of life, it was agreed by Great Britain, the United States of America and Germany at the Treaty of Berlin in 1889 to recognise the independence of Samoa and the claims of one Samoan chief as ruler. Municipal Government of Apia by the three Consuls of the metropolitan powers was also introduced together with a Supreme Court under a Swedish Chief Justice and a Lands Commission to settle claims between Europeans and Samoans. As a number of Samoan Chiefs did not recognise the ruler and eventually set up a Government in opposition, it was agreed at the Samoan Tripartite Convention of 1899 to partition the island between Germany and the United States of America and that British claims of sovereignty to the island be withdrawn in return for the relinquishing of German sovereignty over a number of islands in the Solomons Group, thus allowing Britain to include these under the Protectorate umbrella.

Islands Protectorate was effected when Germany handed over civil control of a number of islands within the Solomons Group. Thus, by 1899, the territorial confines of the British Solomon Islands Protectorate had been fixed.

An extension of Protectorate control occurred in the Gilbert and Ellice Islands when, in 1900, the phosphate island of Ocean was included within the Protectorate. A change in the political status occurred in 1916 when at the wish of the indigenous population all the islands comprising the Gilbert and Ellice Protectorate were formally annexed by Britain by Order in Council and a new Colony came into being. In that year the territorial limits of the Colony were extended by the annexation of two islands of the Line Group and in 1919 the southernmost island of the Line Group was also annexed. The final annexation of territory occurred two years before the outbreak of World War II, when the Colony's boundaries were extended to include a number of islands in the Phoenix Group.

During the nineteenth century the islands of the New Hebrides lay between the British and French spheres of influence and penetration in the South West Pacific Ocean. By a Convention signed between these two metropolitan powers in 1887 a Commission was established to protect the lives and property of British and French subjects who had begun to settle in this group of islands. In 1906 an Anglo-French Convention was signed and later proclaimed in the New Hebrides, establishing the Anglo-French Condominium by declaring the island group to be a region of joint influence for joint administration. This Convention was superseded by a 1914 Convention.

The Ethnic Composition of the Indigenous Population and Customary Land Tenure

Two of the three High Commission territories are peopled mainly by Melanesians, these being people from the "dark" islands, who are a mixture of a number of immigrant strains. The third territory, the Gilbert and Ellice Islands Colony is peopled by Micronesians – people from the "small" islands, and Polynesians – people from the "many" islands.[2]

[2] In the development of *homo sapiens* three main racial types are thought to have emerged. The Negriform type appears to have evolved into the Negro race as found in Africa today and the Melanesian now found in parts of New Guinea and the islands of the southwest Pacific. Some authorities suggest that these subtypes also produced a negrito or pygmy strain as a result of relationships with primitive antecedents of ancient man. It is the modern anthropological view to position the Melanesians in the Malayo–Asian area in the dawn of history and it was the arrival of these Melanesians that forced the previous inhabitants, a Negrito people, to migrate into the islands of Oceania. In due time the Melanesians were themselves forced by invasions from the sub-continent to migrate along this same route until they occupied that area of New Guinea and the Pacific islands now known as Melanesia. The Polynesians are considered to be of Caucasiform origin and various theories have been offered to account for their presence in the Pacific. However, those strains found within the Western Pacific High Commission territories appear to have come accidentally from Samoa or adjacent islands. The Micronesians are a people of Mongoliform origin who are closely related to the present-day Marshall Islanders. It is believed that they moved into the Pacific from the Asian subcontinent by a different route to that followed by the Melanesians. According to a legend recounted to me, the Gilbertese people found a dark skinned race in the Gilbert Islands, whom they destroyed on their way to Samoa. In that island group they encountered the greater numerical strength of the Polynesian people and were forced back along their invasion route until a point of balance was reached. This point of balance occurred in the Colony of the Gilbert and Ellice Islands thus accounting for the existing racial contrasts.

In the Solomons about 95 per cent of the indigenous population are classified as Melanesian, whilst 4 per cent are Polynesian and 1 per cent are Micronesian. The Polynesians generally inhabit atoll outliers which are some way off from the mountainous island chain comprising the Solomons massif. The Micronesian population is of recent immigrant origin living on public land set aside for resettlement purposes.[3]

Although the indigenous population of the New Hebrides is generally classified as Melanesian, the recent demographic census there has yet to provide detailed information on all the ethnic groups within that territory.

In the Gilbert and Ellice Islands 85 per cent of the indigenous population are Micronesians (Gilbertese) whilst the remainder (Ellice Islanders) are Polynesians.

Customary Tenure in Melanesia

For the purposes of this paper Melanesia is taken to include both the Solomon Islands and the island group presently included within the Condominium of the New Hebrides. In 1957 the Special Lands Commission's Report[4] on customary land tenure in the British Solomon Islands Protectorate was published by the Government of that territory. Prior to that date land tenure at customary level in Melanesia was mentioned in at least two anthropological studies published in 1891 and 1914[5]. It was stated in the 1965/66 Official Report on the Anglo-French Condominium of the New Hebrides that no study had been made of customary land tenure in that territory. However, the latest findings on the Solomons' position up to 1957, which were set out in Mr. Allan's Report, do not vary certain basic forms of tenure which the earlier investigations had revealed, and it is likely that the evolution of customary tenure in the Solomons over the last fifty years has been parallelled in the Condominium also.

The Solomon Islands Position

The Special Lands Commission Report records that the principal characteristic of Solomon Islands (customary) tenure is that interests in land are held by a number of men, women and children who, being in kinship or social relationship with one another, form a group. Although individualism has emerged in many areas, the kinship group is still paramount. The main landholding units are the "line" and the "land group". The term "line" is commonly used by Solomon Islanders and is held to indicate those persons who are in close blood relationship with one another; who trace their genealogy from a common ancestor either by patrilineal, matrilineal or "double" descent; depending upon the custom of the society of which they are members; who cultivate land parcels each of which was cultivated by their forebears and each of which has a recognized name and boundary; whose same forebears sacrificed to the ghosts and propitiated the spirits on these lands. The

[3] The word "resettlement" is used to describe the planned settling of people on vacant land set aside for this purpose.

[4] Report on Customary Land Tenure in the B.S.I.P. by Mr. C. H. Allan.

[5] "The Melanesian" by Dr. R. H. Codrington.
"The History of Melanesian Society" by Dr. W. H. R. Rivers.

term "land group" is held to be a wider social unit. The Report defines it as consisting of all members of the line including those persons having secondary interests in the line's land.

The origins of line land lay in either physical settlement by an ancestor or undisputed claim to an area following discovery, purchase or gift. If land rights were disputed, force of arms was necessary to ensure that the line held the area in question. Present-day customary title to land requires the claimants to establish that, from time immemorial,[6] discursive acts of either occupation, ownership or rights of user have been exercised by the claimants and their antecedents along the approved lines of descent; or that they acquired such title by a customary method involving transfer of undisputed primary interests in the land. Such customary title to land formerly demanded that the spirits of ancestors be propitiated at certain holy places and that these "tambu" sites be known and not disputed by others.

The interests in land held by the members of landholding units are complex. Firstly, only members of the line can hold primary interests in the actual soil to which the line lays claim. It is standard practice for members of the line to confide the care of their primary interests in land to the "head" of the line who is expected to consult all primary interest holders when any major transfer of an interest in the land is contemplated. On the death of a primary interest holder the customary methods of inheritance are followed according to either matrilineal or patrilineal modes of descent.

Virgin forest land held by the line may be occupied by any *line* member, as it is an essential attribute of his primary interest therein that he can clear the forest for the purpose of growing subsistence food crops, without seeking permission for such occupation. This act of occupation creates an individual interest in the land so occupied, which becomes vested in the occupier in perpetuity. On physical abandonment of the land after temporary soil exhaustion or for other causes, it is common practice for the cultivator to plant economic tree crops such as the coconut palm or the betel-nut palm whereby his rights to the land will be visibly demonstrated. These exclusive rights are capable of personal disposition by the holder of them. If line control should weaken and then disappear, such exclusive rights as those described may be considered under custom to amount to full ownership of an absolute nature. Customary law allows the creation of pluralities, whereby ownership of economic tree crops is recognized as separate from ownership of the land itself.

A lesser exclusive right in line land may be acquired by a member of the *land group* by virtue of his authorised occupation of virgin forest land. These lesser rights, *per se*, can never constitute an interest in land amounting to full ownership. Such rights of occupation may also be acquired by birth into a secondary kinship relationship with a member of the line, or by inheritance, or by purchase of some other customary mode of transfer. The holder of such a right may sometimes acquire the superior right in the land (held

[6] In 1967 a claim to customary land ownership by a line was based, *inter alia*, on use during the reign of George III. As the land had been subsequently vacated due to internecine warfare in the nineteenth century, this claim based on previous use was not allowed to stand.

ordinarily by a primary interest holder in occupation) as a result of customary inheritance.

The principle that a landholder is entitled to devise any interest he has acquired by his own exertions, together with those he has inherited on an individual basis or has acquired by purchase or other means during his lifetime, is generally accepted in Melanesia. These interests could include—

(a) an individual interest in specific land parcels over which he shares the primary interest as a member of the line and over which he has established additional rights by virtue of physical occupation;

(b) an individual interest of a lesser nature in specific land parcels acquired by his *authorised* occupation of land held by another line which has permitted him to hold the land in perpetuity;

(c) exclusive interests in economic tree crops which he has planted or cultivated himself; and

(d) exclusive interests in economic tree crops which he has acquired either by purchase or by inheritance.

As in earlier days, interests in land are capable of transfer to lines of individuals in exchange for services, in payment of a fine in respect of breach of custom or to pay debts. Oral declarations devolving interests capable of personal disposition are accepted by the lineage group whether made whilst the deponent was hale and hearty or whilst he was dying. The transfer for cash has become a little more general. These sales are usually to individual and invariably involve the buying out of all the interests subsisting at the time of sale. Strangers to the line may therefore buy in and settle amongst the land group.

As indicated above, a general characteristic of Solomon Islands customary tenure is joint ownership of the primary interest in land by members of a line. However, this form of ownership does not usually lead to physical subdivision of land following inheritance because land is so plentiful. Fragmentation, meaning the evolution of a number of widely scattered parcels of land forming one subsistence unit, has possibly developed on the few isolated islands which are beginning to show signs of over-population. Nevertheless, as stated in Mr. Allan's Report, it can be said that Solomon Islands customary land tenure is not beset by fragmentation problems. The main disadvantage of joint ownership is that it obstructs land transactions, especially those leading to individualization of tenure.

The New Hebrides Position

In the 1965–66 Official Report on the New Hebrides it is observed that:—

"In general it may be said that traditionally land was held by groups (lineages), and individuals have usufructuary rights in it."

In Dr. Codrington's studies in 1891, he concluded that:—

"In character of property (in land) there is hardly any difference to be found in the Melanesian Islands."

[7] The word "tambu" is in general use in the Western Pacific islands and may be related to the Fijian word "tambua" meaning a whale's tooth which had sacred significance in former times and is still highly prized in that country. "Tambu" (spelt as Tabu or Taboo in most dictionaries) is pronounced with a prenasilized "b" and phonetical spelling of the word is standard practice in the Western Pacific.

He found a parallel distinction between lineage land which has been inherited and that which was reclaimed for waste. The bush areas, consisting of original forest, were not considered as property. Rights of user over occupied sites were inheritable although a further distinction was made between ancient rights of user and new rights acquired by the holder by virtue of his actual occupation of land taken from the forest. As in the Solomons, the inheritance of the primary rights in land tended to follow the matrilineal mode of descent, whilst subsidiary rights acquired personally by an individual tended to be disposed of patrilineally. Planted trees of value belong absolutely to the planter if he holds the use-right over the land.

From other information available, the following picture emerges:—

(1) The highest form of ownership, i.e. the primary interest in land, is generally vested in the lineage group or "line" as it is referred to in the Solomons, and no re-allocation of line land already burdened by subsidiary rights of occupation ever takes place.

(2) Where line control has become weak, an individual may be free to dispose of his use-right in land: where line control is strong the consent of other line members is required before a disposition can be valid under custom.

(3) Ownership of trees of value can be separated from ownership of land, and may be inherited separately.

(4) In present-day practice the use-rights granted to a stranger are restricted and confined solely to the planting of subsistence crops. By agreement it is possible for the stranger[8], by cash payments, to acquire the primary interest in the land. On such an occurrence in the more developed areas the land will normally pass forever out of the control of the line.

Customary Tenure in Micronesia: the Gilbert and Ellice Islands Position

As a result of investigations by a Native Lands Commission sitting intermittently in the Colony between 1922 and 1955, and the adoption of a codified form of tenure under a 1956 Statute, native land holdings in the Colony are registrable, and it is understood that all land holdings are now subject to the land code. Reference is made later in this paper to this codified system backed by statutory processes.

Statutory Forms of Land Tenure

Although all three territories have certain common tenurial features, the procedural aspects of the various land tenure systems vary greatly.

[8] In bygone days the position of a stranger could be fraught with danger as he depended on the goodwill and forbearance of the people who sheltered him. If he offered a new skill to his protectors his safety was generally guaranteed. Once the hand of friendship was offered and accepted, consent to remain could not arbitrarily be withdrawn. In time the stranger was absorbed into the society and after due payment of customary money and pigs, could acquire full primary interest in the line's land. Nowadays, a few strangers are still being absorbed by lines where marriage has occurred, establishing firm ties of kinship in matrilineal societies.

In the British Solomon Islands a very limited statutory form of land tenure was introduced in 1896, dealing with the outright purchase of interests in customary land by non-Solomon Islanders. The word "freehold" was generally used to describe the interest purchased. Control of this form of land alienation practised in the Solomons was gradually stiffened until comprehensive legislation dealing with new land tenure provisions was introduced in 1964 and 1965. The 1964 legislation also provided for the conversion of customary tenure to a statutory form which it defined. By a 1968 enactment all previous legislation was repealed and replaced.

In the Condominium of the New Hebrides the 1914 Anglo-French Convention (Protocol) provided both the French and British High Commissioners with authority over the "native chiefs" and power to make administrative regulations binding on the tribes and to provide for their enforcement. The Protocol made provisions relating to lawsuits respecting immovable property between natives and non-natives. Additional statutory control of land tenure has also been provided by a number of regulations such as the Land Registry Regulation, the Land Boundaries and Fences Regulation, the Control of Forestry Regulation and the Mining Regulation.

In the Gilbert and Ellice Islands Colony, prior to the arrival of British administrators, land wars were frequent and even today lack of land is believed to be humiliating. In 1919 the Government enacted legislation to provide for the determination of titles held under customary law. In 1922 a Native Lands Commission was appointed to settle disputes and to register its findings. This work, after interruption by World War II, was completed in 1955. Legislation to consolidate and amend the law relating to Native Land and Registration of Title thereto was passed in 1956 and it included provision for the codifying of native custom governing the ownership, possession, use, alienation and inheritance of native land or any interest therein. In 1963 the Land Code was brought into force.

Legislation exists in all three territories to permit the respective governments to acquire land compulsorily for a public purpose.

The Solomon Islands Position

There are two formalized systems of landholding in operation:—

(a) registered land; and

(b) unregistered land held under documentary title.

The first system referred to above is administered under the Land and Titles Ordinance No. 6 of 1968, which repealed the Land and Titles Ordinance No. 13 of 1959 as amended by Ordinances No. 15 of 1963, No. 22 of 1964 and No. 5 of 1965. The full title of the 1968 Ordinance is:—

> "An ordinance to amend, declare and consolidate the law relating to the tenure of land, the acquisition of land, the registration of interests in land, to other like purposes and to matters incidental thereto and connected therewith."

The 1959 Ordinance, which was brought into operation in 1963, introduced some new tenurial terms in an effort to break away from some of the more confusing terms found under English law and the laws of other countries

where land law follows the English pattern. The 1968 legislation has retained the new tenurial terms and has carefully defined all the interests in land with which it is concerned. As the new system provides for conversion from the old statutory system which originated with the 1896 legislation supplemented by a number of subsequent enactments, it has been necessary to define clearly the old interests in land capable of conversion. Although purchases of land covered by the 1896 legislation were considered to be of a freehold nature, the current legislation defines that interest as an estate in fee simple absolute in possession or any interest in land of a similar nature *and based upon a document of title*. On conversion the enactment defines the interest as "a perpetual estate in land" consisting of the right to occupy, use and enjoy in perpetuity the land and its produce subject to the payment of any rent and the performance of any obligations for the time being incident to the estate and subject to such restrictions as may be imposed by or under the Ordinance or any other written law. Disposal of this interest held under a guaranteed title, either in whole or in part and either during the estate owner's lifetime or at his death, is allowed provided that:—

(i) a disposition by way of security for the payment of money shall be by way of a charge in accordance with the provisions of the Ordinance;

(ii) a disposition of the whole or part of the estate for a limited period shall be by way of lease in accordance with the provisions of the Ordinance; and

(iii) a disposition by will which is not in perpetuity, shall take effect as a disposition of the estate to the personal representative of the deceased owner, or, if there be no personal representative, to the official administrator, and in either case upon the statutory trusts.

An important interest in land held by grant of the Commissioner of Lands[9] is known as the "fixed-term estate". This is defined as the right to occupy, use and enjoy for a period fixed and certain (often 49 or 99 years) the land and its produce, subject to the payment of any rent and the performance of any obligations for the time being incident to the estate, and subject to such restrictions as may be imposed by or under the Ordinance or any other written law. The owner of a fixed-term estate is able to dispose of it either in whole or in part, either during his lifetime or at his death by a valid will. The interest of a lessee arising by virtue of a valid lease of public land held by grant of the Government under the previous enactments, is capable of conversion to a fixed-term estate.

The current statute provides also for the leasing of land comprised in an estate and lays down agreements implied in such a lease on the part of both the lessor and the lessee. The undertakings so listed will stand in the absence of express provision to the contrary. The legislation defines a number of interests in land such as charges, easements, profits and restrictive covenants and it provides for co-ownership, ownership in common and prescriptive rights. The law specifically forbids dealings in customary land between Solomon Islanders and non-Solomon Islanders except under the special

[9] The Commissioner of Lands is responsible for the administration of the Land and Titles Ordinance of 1968, and has power to hold and deal in interests in land for and on behalf of the Government.

circumstances involving an entitlement under marriage or an inheritance, both in accordance with customary usage.

The machinery to convert a landholding under customary tenure to the statutory tenure system can only be applied by Government in a systematic manner and, being based largely upon the Kenya precedent, involves the adjudication of customary interests in land prior to their conversion and subsequent registration. This process, called "land settlement" in the Solomons, allows also for the consolidation of fragmented holdings and the rationalization of boundaries. However, for reasons peculiar to the Solomons,[10] no use is made of an adjudication committee although provision is made for the services of a local committee for advice and assistance. The exercise of rights in accordance with current customary usage, which can be deemed to amount to rights equivalent to those of an owner of a perpetual estate, can and do result in the registration of that owner with a guaranteed title to a perpetual estate in land which is no less an interest than that held by a non-Solomon Islander claiming a freehold interest in land acquired previously under earlier legislation. Conversion of lesser interests in land held under customary law can and does produce registrable interests such as leases, profits, easements and so on.

Prior to the introduction of the Land and Titles Ordinance in 1963, a system of ownership based on local statute and pre-1926 English law was in force. Interests in land deriving from the local statutes were reasonably clear, but lack of local case law tended to obscure the position with regard to other interests created subsequently by owners, and there may be doubt about their legal validity. Dealings between Solomon Islanders and non-Solomon Islanders in land held under the customary system were forbidden in 1914, although in that year machinery was provided for leases of native land between the Resident Commissioner, acting for and on behalf of the indigenous owners (the names of whom were not specified in the lease documents) and non-Solomon lessees. Provision for standard types of Government leases such as building leases, cultivation leases and grazing leases, all from public land, was also enacted in that year to replace the long-term interests in land created by Government under the Waste Land Regulations made between 1900 and 1904. Terms of 999 years could thus no longer be granted by Government, but occasional use of a lease in perpetuity was made by owners of freehold after 1914. In 1918 the Government introduced regulations for the compulsory registration of land title deeds although no legal provision was made for the investigation of the validity of a deed lodged with the Registrar. Land was defined so as to include any estate or interest in real property.

[10] In Kenya and Malawi great use is now made of "Adjudication Committees" which are empowered to adjudicate and determine in accordance with native law and custom the claim of any individual person to any right or interest in any land within the adjudication section. In the B.S.I.P., where problems of underpopulation are encountered, the sparsity of the population has contributed to great diversity amongst the lineage groups. Seventy languages or dialects have already been recorded in a population of less than 150,000. The element of co-operation required in establishing local authorities as well as indigenous courts of justice is still being nurtured and a larger measure of control from a Central Government department charged with tenure conversion is still necessary. However, the authority "to adjudicate and determine" a customary claim made by a Solomon Islander is at present being wielded by competent Solomon Islander officers of the Lands and Surveys Department.

Many registrable interests in land created under the earlier system and based on documentary title still subsist and a dealing in such an interest can occur using the normal private conveyancing procedure provided the grantee applies for registration of his interest under the new system. Similarly, every new lease granted out of unregistered land, or a mortgage executed after the new land registration system came into operation, remains ineffectual until such time as an application for registration of the interest concerned is lodged with the Registrar of Titles. This introduces a form of compulsory registration under those particular circumstances. In the recent enactment (1968) the Registrar retains the power to register as the owner of an interest in land any person who, according to satisfactory information in the Registrar's possession, would be entitled to be so registered. This power is at present rarely used but it could be usefully employed in completing the registration of all interests within a given locality.

Interests affecting customary land, registered land or unregistered land held under documentary title can be acquired under the Mining Ordinance of 1968. Interests such as mining leases, interim permits to mine, site leases, etc. are granted by the Director of Mines who does not require the consent of the landowners affected thereby. The Mining Ordinance also provides for compensation payments to the owners of interest adversely affected by the grant of mining tenements.

The New Hebrides Position

Procedural provisions relating to land tenure came into operation after the ratification in 1922 of the 1914 Protocol by both of the metropolitan powers involved in the government of the Condominium. Prior to 1906 a large number of land dealings had occurred between the indigenous New Hebrideans and alien individuals, commercial interests, or religious institutions. These dealings, comprising either outright sale or a grant of a term of years, are to be found recorded in old documentary titles. Often vast areas of land were involved, but development of the land was mostly confined to the littoral. The main purpose behind the curtain of judicial enquiry provided in the Protocol lay in settling disputes between native people claiming either as individuals or as representatives of lineage groups and the alien purchasers or lessees. It also provided the machinery whereby subsequent land dealings between the New Hebrideans and non-New Hebrideans were to be conducted.

The intention to provide for the recognition of absolute title to land validly purchased or acquired in perpetuity from the New Hebrideans is evident from the outset, although the Protocol does not refer to the nature of the title disposed of by the original grantors. The Special (Joint) Court set up under the Protocol to investigate land dealings was empowered to define the nature of rights over real property.

Under Article XXVII of the Protocol the Resident Commissioners may prohibit, by Joint Regulations, any new sale or grant of customary land in any area to non-natives if they consider the area already alienated is so great that the land remaining is indispensible to the needs of the indigenous people settled in the area. At present only two such Regulations have been

made, so it will be seen that no blanket prohibition on dealings was ever contemplated.

A dealing in customary land involving an outright sale of the absolute interest or a lease to a non-native now requires the purchaser or lessee to lodge his claim with the Joint Court within a period of six months from the date such interest was acquired. "No sale or grant of an immovable . . ." to quote the relevant part of the Protocol, ". . . by a native to a non-native may be validly made unless the transaction is effected by a written document which is executed in the presence of four witnesses, two of whom are to be natives." The document which must be authentic in terms of English or French law, shall be verified by an officer or agent of one of the signatory powers or by some other duly authorized person. The verifying officer is charged to ensure that the native acted as a free agent and understood the effect of his act; that he received the purchase price and was satisfied accordingly. He is required to testify to the presence and qualifications of witnesses and to record all relevant information about these matters in the document. Power is given to the Court to vary the purchase price if it is considered to be manifestly inadequate, having regard to the importance of the transaction.

A Land Registry Regulation was framed in 1930 for the purpose of registering all land rights as declared valid by the Joint Court. The Registrar of Land Titles is required to issue a Certificate of Title and as the right has been the subject of judicial enquiry, the title thereto is unimpeachable when declared and inscribed by the Joint Court. The Regulation, which is fairly short and simple, provides for the registration of transfers, leases, mortgages and other rights in land, including easements, but does not define any of these tenurial interests in land.

There is no statutory provision for the *systematic* investigation, recording and registration of interests in customary land. Disputes between New Hebrideans claiming an interest in customary land may be heard by the Joint Court and after adjudication the title can be registered under the Land Registry Regulation. However, although the legal significance of adjudication and registration is clear, the law is silent on whether or not the land remains subject to customary tenurial practices. The official view has been given that the New Hebridean's attitude to land is changing rapidly and that the buying and selling of land following the western concept is becoming frequent; yet no clearcut method of providing security of tenure on a systematic basis is available.

The Gilbert and Ellice Islands Position

Prior to 1917 a small number of dealings in the absolute interest in customary land occurred between the native owners and non-natives interested in establishing trading posts, mission stations and so on. A statutory prohibition covering outright sale of customary land to non-natives was brought into operation in 1917, but the legislation did provide for leasing to non-natives. Today much of the land alienated in earlier years has by marriage and inheritance been brought back into native ownership. A negligible area of

alienated land remains extant and most of it is owned and occupied by the various missionary bodies operating in the Colony. Although legislation was enacted in 1917, the problem of an ever-increasing number of land disputes amongst the island people soon gave rise to official concern. The necessary legislation to investigate and finally settle the question of ownership to interests in native land was enacted in 1919 by the creation of a Native Lands Commission. The Commission commenced operations in 1922 and finally completed its work in 1955. Then in 1956, the opportunity was taken to enact legislation to consolidate and amend the previous laws relating to native land and to register the titles investigated and confirmed by the Commission.

Customary land tenure in the Colony has therefore now been regulated by statute law and the 1956 enactment sets out the tenurial rights in respect of native land in occupation by both natives and non-natives. Of special interest are the statutory provisions governing native title, wherein a title to native land is declared indefeasible if confirmed by the Native Lands Commission or by a Court (known as the Lands Court and set up by the 1956 enactment) and evidenced by a Register of Native Lands. No cadastral survey covering the 92,000 separate parcels of native land has yet been made although disputes between registered owners are usually confined to boundary matters. However, the owner of a registered title is prohibited from disposing of it to a non-native by sale, gift, lease or otherwise save as provided by the law. Tight control on leasing requires a potential lessor to obtain the permission of the Resident Commissioner before he is allowed to grant a lease. Before granting permission the Resident Commissioner must receive proof that the relevant Lands Court has inspected the proposed lease document and confirmed the intending lessor's title; that the proposed lease will not conflict with the provisions of the 1956 enactment and that the lessor will be left with sufficient land for himself and his dependants. The Resident Commissioner is also required to satisfy himself that the terms of the proposed lease are "not manifestly to the disadvantage of either party" before granting approval.

All persons who are lawfully entitled to own native land are subject to the jurisdiction of the Lands Court which is empowered to hear and adjudicate all cases concerning land ownership and boundaries as well as disputes concerning the possession and utilization of native land. The Court also deals with transfers of title to native land as well as transmissions. Any dealing in native land not brought before and approved by the Lands Court is declared null and void. Other matters dealt with by the Lands Court are titles to pluralities such as garden pits and ponds; titles to fish traps lying below high watermark and titles to sea-walls constructed with its permission subsequent to the registration of titles through the Native Lands Commission. Acting as a Probate Court, the Court is also responsible for the adjudication, in accordance with native customary law, of all cases arising from the administration and partition of native estates. It deals with cases of illegitimacy and is empowered, *inter alia*, to transfer title to land owned by a non-admitting putative father to a child for maintenance and support.

The 1956 enactment provided for the regulation of customary land tenurial practices governing the ownership, possession, alienation and inheritance of

native lands or any interest therein and for subsequent compliance with these regulations by the owners affected. A Land Code was brought into operation in the Colony in 1963.

This Land Code states clearly that an owner of native land with an indefeasible title "controls the use of his property except if it is proved to the satisfaction of the Lands Court that an owner is preventing his issue from obtaining a livelihood from his land, when the Land Court may order that some of his property be set aside for the maintenance of his issue". A prohibition order to prevent the owner of the land from using it himself can be made by the Lands Court, but the Code clearly states that any property set aside in this way has not been transferred. Matters of inheritance and, for that matter, of disinheritance, are spelt out clearly and a testator must carefully ensure that his proposed dispositions are in accordance with the Code's provisions. It lays down that an owner may not dispose of his interest in the property without the consent of his next-of-kin. If they be over the age of 18 years and if such consent is given, the Lands Court may then allow the transaction. Similar control over the transmission of property by will is given to the next-of-kin when the beneficiary is not one of them. The Code limits gifts of land by an owner for services received during his lifetime; these services include nursing during ill-health and other acts of kindness. It also provides for adoptees and ensures that they will inherit interests in land when the adoptive parent dies. Where an owner dies intestate, the heirs receive land in accordance with provisions laid down in the Code.

Ownership of registered native land does not entitle the owner to an unrestricted right of disposal. The restrictions on the disposition of his interest ensure that children inherit the land of their parents whilst the land of an owner without issue is taken on death by the owner's next-of-kin. In a paper presented by the Government of the Colony to the Sixth Session of the South Pacific Conference held in Noumea, New Caledonia, in January, 1965, it is stated that "the land problems of the Colony are resultant, in the main, from excessive fragmentation and sub-division, much absenteeism and generally the conservatism and indolence of the land owners, all of which has led to poor land utilization. The people of the Colony enjoy a method of inheritance by which every person is either a landowner or in the immediate family of a landowner and able to subsist from land to which he holds rights".

A Concluding Summary

A comparison of the land tenure systems described above shows that the customary systems practised in the Solomons and the New Hebrides have distinct similarities. Dealings in customary land are occurring and there is a trend in both territories towards the individualization of land ownership. This trend is officially acknowledged in the Solomons where statutory recognition of customary interests in land involves a formal systematic process of tenure conversion with compulsory registration following adjudication. Under the system of land registration operating there title is rendered secure and is subject to guarantee provisions as laid down in the statute. In the New Hebrides the Joint Court can settle questions of ownership in customary land but such matters can only be dealt with on a sporadic basis. The title to

adjudicated customary land may be registered but it is not clear whether such land remains subject to customary tenurial practices.

In both the above-mentioned territories there is substantive land law dealing with properties held by non-natives. In the Solomons completely new land legislation was enacted in 1959 for the purpose of introducing land registration with a simplified system of conveyancing in respect of land brought on to the register. It drew from both the Torrens and the English system of titles registration. Amendments to the land law were made in 1963, 1964 and 1965 and the opportunity was taken to consolidate the substantive law by the enactment of the Land and Titles Ordinance No. 6 of 1968. In the New Hebrides, as in the Solomons, land law was originally enacted to protect the claims of *bona fide* settlers as well as the rights of the indigenous people. However, in the New Hebrides the current interests in land are not specifically defined in the property statutes, which are by no means so comprehensive as those operating in the Solomons.

In the Gilbert and Ellice Islands Colony customary land tenures have been codified in the form of regulations made under statute. Although individual rights in registered native land can be owned either solely or jointly, a landowner possesses only a form of "entailed interest" without complete freedom to deal as he wishes. Such a restriction is not to be found in the other two territories.

Local Administration in Colombia

By REZA REZAZADEH

Professor Rezazadeh is Chairman of the Department of Political Science at Wisconsin State University, U.S.A.

THE Colombian nation attained its independence from Spain in 1810 and has, since then, sustained a traditional republican form of government.

The present constitution of Colombia was originally introduced in 1886. The long continuous and bloody struggle between the two traditional parties – *el conservador* and *el liberal* brought political instability, and internal insecurity, especially during the period of *la violencia* 1948–1957, and was finally brought to an end with the popular plebiscite of December, 1957 as a result of which the constitution was revised and a compromise political system set up which is due to remain effective until 1974.

The constitutional document expresses the wishes of the people as follows:

> ". . . the Colombian people in the national plebiscite decree: The Constitution of Colombia is that of 1886, with its reforms[1] of permanent character, introduced until the Legislative Act of 1947 inclusive, and with the following modifications . . ."

According to this revised version of the Constitution, the office of President of Colombia is held alternately by a member of Liberal and Conservative parties, for the four constitutional terms each for four years which started on August 7th, 1958, and will end on August 6th, 1974. The seats of Congress are distributed equally between the two political parties. The same rule applies to departmental assemblies and municipal councils.

A new amendment recently approved by Congress establishes a stage of transition to the period beyond 1974. According to this amendment the President will be elected by the majority vote of the electorate, thus ending the present alternating system. The seats of Congress, provincial assemblies and municipal councils will be allocated *pro rata* among the parties according to the percentage of popular votes received in the presidential elections. The same rule will apply to the appointment of the administrative officers including the Cabinet of the Ministers.

Political Organization of Government

Constitutionally there are three branches of government: Legislative, Executive, and Judicial. In practice, there is also a Fiscal Control branch though constitutionally it is not yet considered a separate branch of the Colombian government.

[1] Among such reforms the following four acts are of significance: Acto Legislativo de 1910; A.L. 1 de 1936; A.L. 1 de 1945; and A.L. 1 de 1946. The Legislative Acts Nos. 1, 2, 3 and 4 of 1959, passed after the national plebiscite, are also of constitutional importance.

The national territory is divided into regions called *Departamento* which have an appointed governor and an elected legislative assembly. Each department is divided into several districts which usually include diverse communities and villages. Each district is called a *municipio* and has a municipal government located in the largest town within the district. The *municipio* has a chief executive called *Alcalde* who is appointed by the governor of the department, and an elected municipal council (*Concejo Municipal*). The municipal government is the lowest level of government in Colombia and has district-wide authority. The communities other than those at the seat of the municipal government are ruled by an official called the *inspector de policis* who is appointed by the *alcalde*.

The Departmental Government and Assemblies

A Department is the territorial subdivision of the Colombian government comparable to that of a state in the United States. The departments have independence in administering their territorial business, within the limitation imposed upon them by the constitution.[2]

Each *Departamento* has a Departmental Assembly (*Asambles Departamental*) which meets each year for two months, and upon being covered by the Governor.[3] Members to the Departmental Assembly are elected by popular vote on the basis of one deputy for each 40,000 population and its fraction equal to, or exceeding, half of this number.[4]

The basic constitutional functions of the Assemblies are:[5]

(1) To regulate, through ordinances, the institutions of primary and secondary education when financed by departmental funds.

(2) To direct and foment established industries and to initiate new ones; to encourage the investment of foreign capital; to direct the settlement of the lands belonging to the department, the opening up of roads and navigable canals, the construction of railroads, the exploitation of forests belonging to the department, the canalization of rivers; responsibility for the enforcement of local laws where they are not regulated by a national law, for approving the budgets of the districts.

(3) To organize the Departmental Comptroller's Office and to elect a Comptroller for a two-year term.

(4) To create and abolish *municipios*, determine municipal terms of office, and fix boundaries between districts.

(5) To decide on the number of departmental employees, to lay down their duties and to fix their salaries.

(6) To carry out such other functions as may be allowed under the constitution or authorized by the national law.[6]

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[2] Art. 182, the Constitution.
[3] Art. 185, *Ibid.*
[4] Art. 186, *Ibid.*
[5] Arts. 187-191, *Ibid.*
[6] Art. 83, *A.L.* 1 *de* 1945.

Each Assembly votes annually on the budget setting out the estimated revenue and expenditure for the department, in accordance with the procedure established by law.[7] Under the law, the appropriations for deputies' allowances, for expenditure to meet the operations of the assembly and those of the departmental comptroller,[8] can all be limited. To meet their administrative overheads, the departmental Assemblies are empowered to levy taxes subject to limits and conditions prescribed in the national law.[9]

These functions may now be examined in more particular detail:

(A) FISCAL FUNCTIONS

As part of the national political system and the agent of the central government, the departments are charged with various national public functions and services, and require the economic means to accomplish them. In this respect the departmental finances are organized in a form totally analogous to those of the national government. As to their internal affairs, the intention of the constitution seems to be in the direction of granting them independence in administering their regional affairs.[10] The Assemblies, therefore, within the limits prescribed by law, can levy taxes destined to satisfy the needs of their region. In using such power, they may not impede activities directed toward achieving a national objective or those that are delegated by Congress to the municipalities.

The constitution prescribes that the National Government can grant exemptions from departmental laws.[11] The question arises here whether or not the term "*derechos departamentales*" used in the constitution refers to all departmental laws or to a specific category of them. It has been argued that the term refers to fiscal matters, affirming the principle that only Congress can grant exemption from departmental taxation.[12]

Preparation of the budget. The importance of this function is underlined in the study of the constitutional norms that govern the preparation of the national budget. In respect to the departmental budget the Assembly has an orbit limited by law.

Limitation on Expenditure. The voters in 1945 elevated to the constitutional level the principle that Congress can limit the expenditure of the Assemblies and departmental comptrollers and the pay of the deputies. This was aimed against frequent abuses by the departments in the past over fixing the salaries of Assembly members, and in creating unnecessary posts and functions under their patronage.

Organization of the departmental comptroller's office. Since the Department is an organ of the State, it is natural that its fiscal matters and the expenditure of public funds, should require procedures similar to those of the National Government in dealing with fiscal matters. In this respect the Assembly has power to create a departmental comptroller's office and to elect a comptroller.

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7 Art. 85, *A.L.* 1 *de* 1945.
8 *Ibid.*
9 Art. 56, *A.L.* 3 *de* 1910.
10 Art. 191, *la Constitución.*
11 Art. 183, final part. *Ibid.*
12 Hernandez Rodriguez, "La autonomía de los Departamentos y la intervención estatal," *Revista Jurídica*, Nos. 16-17, pp. 29-54.

(B) ORGANIZATION OF THE LOCAL ADMINISTRATION

The Assemblies are given power to direct regional affairs. The Assembly is very much an administrative organ since the direction of the administration of the departments is one of its main functions. The complexities of modern development programmes, indeed of modern life itself, necessitate considerable decentralization of services even within territorial decentralization such as those of the departments in Colombia. Toward this end many Assemblies have created technical units charged with the management of specific departmental public services. The Assemblies have authority to create departmental posts, determine their duties and their pay. They cannot exercise their administrative functions competently unless they take the trouble to understand the administrative framework and seek to improve it. Where any Assembly misuses its powers for political ends, its actions can be nullified by the *Consejo de Estado*.

(C) ORGANIZATION OF THE LOCAL POLICE

Where their law enforcement functions are not specifically regulated by national law, the Assemblies have power to organize and regulate the police. Of course, in principle, the law enforcement power is inherent in the power of administration vested in the Assemblies.

(D) TO FOSTER THE ECONOMY

The Assemblies have ample power in relation to the economy of their Department. With their departmental resources they can promote the establishment of industries, develop those already existing, invite the investment of foreign capital, build railroads, construct navigable canals, exploit the forest lands, etc.

(E) MUNICIPAL SYSTEM

Municipalities,[13] being another step toward territorial and functional decentralization, do not enjoy the degree of autonomy granted to the Departments. The departmental assemblies have power to determine the revenues and expenditures of the *municipios*. The assemblies have also power to fix municipal boundaries.

(F) DEPARTMENTAL ORDINANCES

The Assemblies exercise their functions through the media of ordinances (*ordenanzas*) which are included in the Code of the Political and Municipal System (*Código de Régimen Político y Municipal*). Such ordinances are subject to veto by the governor if he deems them unconstitutional, *ultra vires* or ill-adopted for use.[14] The ordinances of the Assemblies and the minutes of the municipal councils are binding as long as they are not annulled or suspended by an administrative court.[15]

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[13] A municipality (*municipio*) is comparable to the county in the United States but its government is more like that of a city. The municipal territory is called district (*distrito*).

[14] Art. 194, No. 6, *La Constitución*.

[15] Art. 192, *Ibid*.

The Governors

Each of the territorial departments has a governor who is directly appointed by the President. He is both the agent of the central government and the chief of the departmental administration.[16] This system represents the combination of political centralization with administrative decentralization. Such systems are common among modern unitary forms of government.[17] The governors, as agents of the National Government, are subject to its instructions; as the chiefs of the departmental administration, however, they enjoy autonomy, and in this latter role their actions can be reviewed by the administrative tribunal. The President may delegate to the governors some of his administrative authority and functions in which case they act only as his agents. The President may resume any such delegated power or function, revise or revoke it at will and at any time.[18]

The governors are charged with the following functions:[19]

(1) To carry out, within their respective Departments, the orders of the National Government.

(2) To direct the administrative affairs of the department, including the appointment and dismissal of officials, revising or revoking the decisions of his staff, and dictating policy in all sectors of the departmental administration.

(3) To represent the department in administrative and judicial negotiations. This is a function which he may delegate to an official. (The department is perhaps the only public entity where judicial representation is not under the authority of the Ministry of Public Affairs. This reform was introduced in 1945, without any notable benefits accruing).[20]

(4) To sustain the courts as determined by law.

(5) To exercise the right to sustain and protect public corporations and other public institutions.

(6) To approve and promulgate or where appropriate to veto ordinances passed by the Assembly in his department.

(7) To revise the acts of municipal councils and those of the Mayors (*Alcaldes*), where deemed unconstitutional or *ultra vires*. He can revoke them on the latter grounds and submit them to the courts in the former.

(8) Other functions allowed by law.[21]

The governor can call in the assistance of the armed forces, and the military commander is obliged to obey his instructions, except in the case of special dispositions ordered by the National Government.

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[16] *Ibid.*, Art. 181.
[17] For such classification and definition see Reza Rezazadeh, "The Concept of Centralization and Decentralization: A Theoretical Approach," *International Review of Administrative Science*, 27:425-430, 1961, p. 425-430.
[18] *La Constitución*, Art. 135.
[19] *Ibid*, Art. 194.
[20] Alvaro C. Uzarralde, *Lecciones de Derecho Constitucional de Colombia*, 3rd rev. ed. Bogota: Edicioneo Lerner, 1960, p. 382.
[21] *A.L.* 1 *de* 1945, Art. 86.

The property and income of the departments, as well as those of the municipalities, are exclusively theirs. The National Government has no power to interfere with these departmental and municipal rights.[22] This, of course, does not limit the normal acts of the National Government in achieving its social goals.[23]

The Municipio and Municipal Government

While the division of the nation into regions is a matter for decision by the central government, the municipality has a very special status since its existence pre-dates that of the State.

The municipality is the essential unit for good administrative organization in Colombia. Historically, regardless of what constitutional form the State took, there was a constant and imperative need to confer on autonomous territorial entities a degree of local self-government. Many of the authorities recognize the municipality as an entity of natural origin. They argue that the personality of the municipality does not stem from the law but from the nature of things that give it an indispensable existence.[24] The State, in granting such personality, establishes a framework by proportioning the means by which this natural entity is able to satisfy, in an efficient manner, the needs arising out of local circumstances and activities.[25]

Consequently, the municipality has a very important position within the Colombian administrative system. To ascertain its legal form as well as its actual operation, it is necessary first to take a look at its legal and formal structure.

Many authors limit themselves to indicating that the municipality is a subordinate organ of the State with its personality initiated and determined by law. These are descriptive approaches. The fact is that municipalities pre-date the State not only by a *de facto* existence but also as *de jure* public entities. It is precisely this fact that makes the *municipality* a definite and dispensable organ of the state; without the former, the entity of the latter is not complete.

The municipality is the public organ nearest to grass roots level. Just as the family is the first natural social organization, the municipality is the seed of the primary public organization concerned with the relations of the families and individuals in one neighbourhood.[26] It is from this point that its legal form takes its shape and its public functions develop.

In Colombia municipalities are legally created by the departmental Assemblies according to the prerequisites established by national law. Of course, the local character of the needs prescribes diversity in the organization of the municipalities. In Colombia this feature is especially evident where several urban areas have mushroomed affecting a great number of the rural

[22] *La Constitución*, Art. 183.
[23] *Ibid.*, Art. 383.
[24] Carlos H. Paraja, *Curso de derecho administrativo teorico y practico*, 2nd ed., Bogota, Colombia, 1939-40, 2 vols. Vol. I, p. 162.
[25] Adolfo Posada, *Tratado de derecho politico*, 5a ed., Lib. Cem. de Victoriano Suarez, Madrid, 1935, 2 vols., Vol. I, p. 226.
[26] Antonio M. Cardozo, *Derecho municipal colombiano*, tesis de grado, Lib. Colombiana, Camacho Roldan, Bogota, 1943, p. 11.

municipalities around them. This not only presents complex problems inherent in the rapid growth of the cities but also those that result from Colombia's over-all economic and industrial development.

In 1949, Alberto Lieras Camargo, then the Minister of State, pointed out this problem by stating that:

> "One of the gravest administrative problems of the country resides in the constitutional existence of only one form of municipal administration. From Bogotá, Medellín or Barranquilla, the capitals of the Departments and the great cities, to those scarce in population and meagre in revenues, all are Municipalities. The Constitution should open the door for the establishment of two categories of municipalities leaving its administrative structure to the legislature."[27]

The revised constitution of 1945, in an attempt to remedy the situation, allowed the legislature to establish diverse categories of municipalities based on population, financial resources, and economic importance, and to prescribe distinct administrative systems for each.[28]

Unfortunately no action has been taken to put this change into effect and the municipal system continues to operate within its old inadequate legal structure. The city of Bogotá, the capital of Colombia, is established by the constitution as a Special District and is not subject to the rules governing the ordinary municipal system.[29] The Bogota's share of departmental revenues is determined by the legislature.[30]

The municipality is controlled by the municipal council and the mayor (*alcalde*).

Municipal Councils

Each municipality has a municipal council. Members of the council are elected by popular vote for a two-year term of office. The election is subject to the "paritarian" rule until 1974. The size of the municipal council depends on the population of the district and varies between six and sixteen members. The council has a president, a vice-president and a secretary. Ordinarily it meets once a month, special meetings however may be convened by the mayor or the president of the council. The quorum for meetings is a majority of the membership and most of the decisions reached are made by a majority vote of the members present.

Some of the constitutional powers of the council are as follows:

> to consider and approve the municipal budget; to impose and levy taxes within the municipal district; to nominate municipal judges, *personero* and treasurer; to create new administrative organs and posts, and to establish salary scales therefor; to regulate the law enforcement functions; to control the administration of the municipality; to provide ways and means for the socio-economic development of the district; to create boards

[27] "El Proyecto de Reforma Constitucional, "*Revista de la Academia Colombiana de Jurisprudencia*, Nos. 152-3 (1944), pp. 251-2.
[28] *La Constitución*, Art. 198; A.L. 1 de 1945, Art. 80.
[29] *Ibid.*, Art. 199.
[30] *Ibid.*, Art. 200.

and committees to administer specified public purposes, to determine the functions and powers of any such bodies.

None of the rulings of the municipal council can be effective if it is in conflict with or against the national laws or departmental ordinances.

The Alcalde

Each municipio has a mayor (*alcalde*), who is the agent of the departmental government as well as the chief of the municipal administration. The mayor within the national structure is a highly significant functionary. Unfortunately, the poor economic conditions of the municipalities and departments do not permit an adequate municipal administration to be set up, nor are municipalities in a position to attract competent and capable staff.[31]

In many isolated communities, the mayor is the only public authority with whom the people have contact. He is expected to satisfy the needs of the community; he is, simply "the jack of all trades" at the service of the people. However, far from fulfilling his mission with impartiality, the mayor is, in general, an arbitrary office-holder often so enmeshed in local politics that good administration is suffocated.

Besides the mayor there are two other important municipal officials, the *personero* and the treasurer, who are elected by the municipal council for a one-year term.

The *personero* is on the one hand, the agent of the Ministry of Public Affairs and on the other the legal representative of the municipality. His principal functions are: to represent the municipal government over contracts and other legal matters; to supervise the conduct of the municipal employees; to see that appropriate care is taken of municipal property, and to supervise the collection and expenditure of public funds. The *personero* is in many respects independent of the mayor and is directly responsible to the municipal council.

There has been a movement toward the elimination of this office or at least to limit its functions to the representation of the municipality in civil and penal cases. The office of *personero* is a heritage from the Spanish municipal system though it has been abolished in Spain and several Latin American countries.

The treasurer is also to a great extent independent of the mayor and is directly responsible to the council. His main functions are concerned with the collection of municipal revenue, accounting for expenditure, preparing the budget and seeing to its being put into effect once it has been approved. He is the Accounting Officer of the municipality.

Municipal Finance

Within the limitations imposed by law the municipal government is responsible for its own revenue and expenditure. Therefore, in Colombia, development of the municipality depends mainly on three factors: Economic resources, appropriate taxation and fiscal administration, and appropriate planning for the spending of the revenues.

[31] Lizarralde, *op. cit.*, p. 388.

Based on economic resources the Colombian municipalities can be divided into four categories:[32] twelve municipalities with a budget in excess of ten million pesos;[33] 97 between one to ten million pesos; 133 with a budget of 500,000 to one million pesos, and 616 with a budget less than 500,000 pesos.

The municipalities in the first category have already passed the "take-off" stage of development. Those in the last category not only lack the economic base necessary for development but can hardly meet the general expenditure of their administration. Many of those in the third category can develop a base for development but would need continuous and prolonged outside technical and financial assistance until their development programmes could be self-sustaining.

The ninety seven municipalities of the second category have the following characteristics: potential economic base for development; capacity for immediate increase in their revenues through tax revision and fiscal administration reform; capacity to staff their planning and fiscal divisions with competent personnel, and capacity to establish fellowships for training and adding to their administration the technical knowledge required for effective and efficient planning and operation; capacity to undertake important and basic development projects; ability, after a short period, say, (five years) to extend technical assistance to the surrounding smaller municipalities in planning and improving their administrative and fiscal operation; capacity to undertake, before long, regional projects embracing several other smaller municipalities especially in establishing and fostering co-operative enterprises, the expansion of public utilities such as electricity and telephones, agricultural co-operatives, etc.

For these reasons the development of this category of the municipalities should receive priority attention. For a constructive plan of development, each of these municipalities must be individually studied and recommendations for immediate reform devised. Such a master plan would initiate the mobilization of the resources in these municipalities which in turn would inevitably affect the conditions of the surrounding smaller municipalities and thus stimulate a wider movement toward national development.

Taxation and Fiscal Administration

The municipal revenue increased 122 per cent in five years from 1,052 million pesos in 1961 to 2,335 in 1965.[34] Yet the most serious problem of the municipal government in Colombia is that of finance. During this period 11 to 16 per cent of the financial aid had to come from the departmental or national government, and 15 to 29 per cent had to be supplied through the municipal treasury or credit resources.

In general, there are four main sources of municipal revenue: direct taxes, indirect taxes, income from financial operations, and income from public enterprises.

[32] Statistics are from the author's own study of the municipalities in Colombia in 1967, and data available from the Department of Statistics (DANE).
[33] 25 pesos were equal to one U.S. dollar in 1967.
[34] DANE, *Bolstin Mensual de Estadistica*, Bogota, No. 196, July, 1967, p. 115.

The most important direct tax is that on property. In 1965 this item constituted sixty per cent of the total direct taxes and eleven per cent of the total revenue. Within the second category, the industrial and commercial tax is important and amounted to sixty nine per cent of the indirect taxes and five per cent of the total. The income from financial operations constituted only 3.5 per cent of the total municipal revenue. This category of revenue includes proceeds from the sales of municipal properties, rents, interest and dividend gains, and royalty from natural resources such as petroleum.[35] The most important source of municipal revenue, especially in larger municipalities, is that derived from public enterprises. In general, municipal government directly or indirectly operates enterprises concerned with the electric power water and sewerage services, telephones, public markets, and slaughterhouses. In 1965 revenues from these sources amounted to 37 per cent of the total revenues.

There is a good deal of room for improvement in municipal revenues through simple revisions of the tax structure, especially in the areas of property, industrial and commercial taxation, and rates for services such as garbage collection and utilities.[36]

Existing fiscal administration allows too many loopholes for tax avoidance, especially in the revenue collection process. The methods presently in use are often costly, unscientific and inefficient.[37]

Planning for Development

The new Municipal Reform Act requires municipalities with a population above 20,000 and a budget of more than one million pesos to establish a planning council. Many municipalities in this category have already set up a planning division which operates under a planning council. The planning functions include: physical planning, such as opening and paving of the streets; establishing water and sewerage systems, electrical power, a telephone service; socio-economic planning such as education and training institutions of different types, economic projects, socio-economic feasibility studies, and statistics; administrative planning such as personnel and fiscal administration, study of the structure and function of municipal government, programme administration, and planning for administrative reforms.

Despite the broad planning powers given to the municipalities, the planning officers have limited their functions almost entirely to physical planning. Two main reasons for this are the failure to understand the importance of socio-economic planning, and the shortage of qualified personnel in these fields. The planning offices are headed usually by a civil engineer or an architect whose main interest lies in his own special technical subject. However, ways and means should and can be found for improving the planning competence of these bodies and for recruiting qualified personnel in the socio-economic sphere.[38]

[35] In Colombia 10 per cent of the royalty from the petroleum is the property of the municipality where the reserves are located, 40 per cent goes to the departmental government and the remaining 50 per cent to national government.

[36] For the methods employed to bring about such revisions see Reza Rezazadeh, *Proyecto de Reorganización Administrativa y Fiscal para el Municipio de Sogamoso*, Imprenta Municipal, Sogamoso, Colombia, 1968, pp. 21-47.

[37] See *Ibid.*, pp. 72-74.

[38] For such ways and means see *Ibid.*, pp. 52-55.

General Administration

This part of municipal government is concerned with general public services and the implementation of development projects prepared by the planning office and approved by the municipal council. The administrative question here is how appropriately and wisely the taxpayers' money is spent. There appear to be several basic defects.

The first and most important defect is the status of the mayor. He is directly appointed by the governor and neither the people nor their municipal representatives participate in any way in his choice. He often comes from outside the municipality thus having practically no knowledge of local conditions or problems. He is usually replaced by another appointee after serving in his new position as mayor for only a few months or even less. The consequence of this is that municipal administration is virtually without an established head and in practice is left very largely in the hands of its lower officials with their limited powers and authority.

The second administrative defect is the lack of co-operation and co-ordination between the three constitutional officials: the mayor, the *personero*, and the treasurer. The main reason seems to be the fact that only the latter two officials are chosen by the municipal council and are local residents. If the local people or the council were given a voice in selecting the mayor then it is likely that the ground would be better prepared for an improved relationship and better working arrangements between the three senior officials of the municipality.

Finally, there exists generally a lack of competent administrators at local level. However, there exists legal and financial provision whereby local government bodies may improve the standard of their administrators.[39]

There is no doubt that the administrative structure of the municipal government needs revision. The constitution and laws of Colombia leave to a great extent the administrative structure of the municipal government to the discretion of the municipal council.[40] At present, the government of Colombia places a great deal of importance on developing an autonomous local government system. The present constitutional reform expands considerably the fiscal powers of municipalities emphasizing their planning activities and advocating the furtherance of regional development projects by inducing the municipalities to look beyond their parochial boundaries for co-operation and co-ordination.

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[39] *Ibid.*

[40] For an appropriate structure and functions of the municipal government see the model proposed for the *Municipio* of Sogamose in Reza Rezazadeh, *op. cit.*, pp. 79-99.

Mayoralty in India: No Case for More Powers

By Dr. P. A. JAMES and A. MURALIDHAR RAO

Dr. James is Reader, and Mr. Muralidhar Rao a Lecturer, in Public Administration at Osmania University, Hyderabad, India.

The institution of Mayor in India has some legendary charm associated with it. No office appears more ostentatious than that of the Mayorality. The evolution of the institution is largely the product of tradition, political wrangles and administrative contrivance. The quest for efficiency in municipal institutions and the political developments in the country prior to Independence must have in no small measure influenced the development of the office of the Mayor. The prestige the office of the Mayor carried did not disturb the minds of politicians or thinking of the State Governments, and for long no serious controversy was waged as to its status quo.

In the recent past, perhaps diverse forces in society, such as change of values governing social institutions, democratisation after Independence, and democratic decentralisation in relation to the rural bodies in a large measure seem to have brought into focus questions like: Should the "Mayor" be the executive authority? Should his term be extended? The answers to these questions should not depend on the craving of some politicians to grant additional powers to the Mayor. It becomes necessary to visualize the exact role that the Mayor is expected to play. The suggested changes should necessarily take into account vital issues involved such as, efficiency of administration, use of expertise, fulfilment of goals of administration, possible abuse of power by the Mayors, the need to maintain democratic values and realisation of public aspirations.

Present Position

In almost all the cities of India, the mayor is elected by the Council. Indirect election of the Mayor due to efflux of time seems to have gained some sanctity. In many of the Corporations, the Mayor is elected by a simple majority, but in "Kaval"[1] towns the election is by proportional representation by the single transferable vote system. Suggestions for the direct election of the Mayor are of recent origin, and do not seem to have gained much immediate support despite their frequent repetition. This is evident from the proposal failing to receive endorsement by the first mayors' conference held at Hyderabad.[2]

Under the Hyderabad Municipal Corporations Act, 1955,[3] the mayor is entitled to resign his office by giving notice in writing to the Corporation.

[1] "Kaval" refers to the following towns: Kanpur, Allahabad, Varanasi, Agra and Lucknow.

[2] Shirole, B. L., Proceedings of the First All India Mayors Conference, *Quarterly Journal of Local Self-Government Institute*, Bombay, January 1959, pp. 458, 461-77.

[3] Section 92 (1) (hereafter called the Hyderabad Act).

General Administration

This part of municipal government is concerned with general public services and the implementation of development projects prepared by the planning office and approved by the municipal council. The administrative question here is how appropriately and wisely the taxpayers' money is spent. There appear to be several basic defects.

The first and most important defect is the status of the mayor. He is directly appointed by the governor and neither the people nor their municipal representatives participate in any way in his choice. He often comes from outside the municipality thus having practically no knowledge of local conditions or problems. He is usually replaced by another appointee after serving in his new position as mayor for only a few months or even less. The consequence of this is that municipal administration is virtually without an established head and in practice is left very largely in the hands of its lower officials with their limited powers and authority.

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Such a resignation will take effect from the date it is accepted by the Corporation. This indicates that the Council has got some option as to whether to accept the resignation or not. The Act is silent as to what will happen should the Council refuse to give its consent. Perhaps the implication is that the mayor should withdraw his resignation and continue in office much against his will. The Hyderabad Act does not provide for removal of the mayor by a vote of no confidence. Such a provision must have been considered unnecessary because the mayor was to be only a presiding officer and as such it would be difficult for him to win enemies in discharging the duties of his office. Further, a term of one year is usually too short to indulge in controversies of a serious nature.

At present, the mayor is not called upon to perform any executive functions. Under the existing arrangement, he presides over meetings of the Corporation enjoying the usual powers of a presiding officer. The mayor's primary duty is to maintain discipline and order while the Council is in session, and he is responsible for the orderly conduct of the meetings. For this purpose he can name the members, and if they persist in disturbing the meeting, he may call on them to leave the Council Chamber. If the situation gets out of control, the mayor can suspend councillors and even suspend the business of the house for a period of two or three days.[4] He can order the marshal to remove the offending council members bodily. The mayor decides the order in which the councillors should speak and his ruling is final on any points of order that may be raised. His ruling in relation to resolutions and other connected matters is also final.[5] The minutes of meetings are written by the municipal secretary, signed by the mayor.[6]

But by convention, he carries out duties which have no legal sanction. It is usual for the mayor to preside over public functions, grant interviews to the public, receive petitions, inspect works in progress on the request of councillors.

So far as he discharges such functions as the first citizen of the city and so far as such functions give him some influence, status and prestige, nothing untoward will happen. But should he either consciously or unconsciously, tend to encroach upon the legitimate functions of certain other municipal authorities, he may well land himself in trouble. It is a different question why such a situation was not challenged earlier. However, recently it has been put forward in the Hyderabad Municipal Corporation that the mayor cannot represent the Council and that he is only a presiding authority. The controversy arose when the mayor presented to the Chief Minister a memorandum which was not discussed by the council, regarding the financial position of the Corporation. The councillors objected on the ground that it involved policy matter.[7]

By and large, it is seldom that friction arises between the mayor and the municipal authorities.[8] But in cases where it does occur, it is not without

[4] The Hyderabad Act. Sec. 89 (1) and 89 (2).

[5] See Bye-laws – Hyderabad Municipal Corporations Act, 1955; Relating to the regulation of the proceedings and conduct of business of the Corporation and Standing Committee 1966 Rules 36, 22 & 5 (hereafter known as Bye-laws 1966).

[6] The Hyderabad Act, Section 88 (n).

[7] *The Hindu* (Madras) dated 19th November, 1968, p. 11.

[8] In Hyderabad Corporation the Municipal authorities are: The Council, the Standing Committee and the Commissioner.

significance. For instance, in the Hyderabad Municipal Corporation, the Commissioner passed orders for the demolition of *pials* (raised flattened terraces) but the mayor called for the file and wrote a suggestion that action be deferred until after an on-the-spot inspection. Ignoring the action of the mayor, the commissioner proceeded to have the work carried out. There was resentment from the local merchants which led to the use of force by the police. Then the mayor undertook a day's token fast against the hasty action, in resorting to the use of force, by the police.[9]

In Calcutta Municipal Corporation, the mayor recommended to the commissioner the reinstatement of employees who were dismissed on charges of corruption. It was obvious the commissioner had to ignore the mayor's recommendations supporting corrupt and inefficient officials.[10]

Craze for more Powers

It may now be useful to examine the arguments for conferring additional powers on the mayor. First, there is an argument that since the whole nation is wedded to the concept of democracy, democracy at higher levels will be a mockery in the absence of any real base at the lower levels. Those who hold this view, believe that the fruits of democracy could best be realised at the municipal level. Secondly, if democratic decentralisation is considered a necessity in rural areas, some consider that there is a greater need and a stronger case for decentralisation in the urban sphere.[11] Thirdly, some emphasize the need to strengthen the deliberative wing so as to strike a judicious balance as between the policy-making and executive wings. If the commissioner or the executive officer represents the executive wing, there should be an equally powerful authority to defend the deliberative wing, in respect of the criticism levelled against it.[12] The mayor is considered to be the person best fitted to discharge such an onerous responsibility. Finally, to compensate for the deficiencies resulting from the actions of the planners both in ignoring the urban bodies in the plan process and in failing to provide adequate resources required for urban development, some visualize strengthening the deliberative wing and granting more powers to the mayor, as a practical solution.

Those who want the mayor to be the executive authority suggest that he be invested with the following powers.

That the mayors be accorded appropriate precedence at public functions. The mayors, really concerned with the order of precedence accorded to them, have taken up the issue with the Government of India urging for themselves, a status second only to the Prime Minister in the Centre and Chief Minister in the State.[13] But the Government of India is of the opinion that a mayor should be given a status next to that of a Deputy Minister, but above that

[9] This is based on our interview with an ex-Mayor Hyderabad Municipal Corporation.

[10] Studies in Indian Democracy, Edited by Aiyar, S. P. and Srinivasan, R. Allied publishers, Bombay, 1965, p. 492.

[11] Vide Krishna Iyer, V. S. Civic Affairs, Kanpur, Feb., 1963, p. 22.

[12] Vide *Civic Affairs*, Op. Cit. Feb., 1963, p. 21.

[13] See proceedings of the Seventh Meeting of the All India Council of Mayors held at Trivandrum 1967, Municipal Press, Municipal Corporation Delhi, 1968, p. 17.

of a Member of Parliament.[14] This suggestion has not been accepted by mayors and attempts to secure a higher status are still being pursued.[15]

Some of those who argue for more powers for mayors want simultaneously the mayor's term of office to be extended beyond the existing term of twelve months. In this context, it should be remembered that the short term of one year must have been adopted with the twin objectives of giving an opportunity to a number of councillors to have the touch and feel of the office, and to keep it commensurate with the presiding nature of the office. The proponents of a longer term for a mayor fall under two categories. Among the first are those who suggest a term of two or three years.[16] This *via media* approach does not appear to be sound. To the second category belong those who want the term of mayor to be co-extensive with that of the Council,[17] four or five years as the case may be. This suggestion is sound, if the intention were to make the mayor the real executive authority. It is but natural that an executive elected by a Council should have the same term as the Council which is the body electing the office-holder. The longer term would afford the mayor a reasonable period to adjust himself to the demanding tasks of his office and provide continuity in administration, very much needed for planning and execution of development schemes.

The Rural-Urban Relationship Committee, broadly accepting the recommendations of the Executive Committee of the All India Council of Mayors, recommended that the mayor should have access to all records[18] and be empowered to call for from the commissioner any information or report on matters concerning the Corporation. Access to records, still some others feel, should not invest the mayor with any revisionary powers. When the mayor calls for the records, should controversy develop as to the confidential nature of the records in question, it is recommended that the matter should be referred to Government for decision as to accessibility. If the mayor is only a presiding authority, access to records may not help much. On the other hand, when the mayor is given such power there will be a tendency to make notes on the files even if the mayor may not be specifically empowered to do so.

In many Corporations, the commissioner is the channel of communication between the Government and the Corporation. This appears to be the right practice, since the commissioner is the executive authority. Where such an arrangement does not exist, it is suggested that all correspondence should be routed through the mayor. In case such a practice is considered unsound and yet where there is a necessity to keep the mayor informed, it is suggested that a copy of all the letters sent out and received by the Corporation may be

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[14] Letter No. 12/17/65, Public-11, Ministry of Home Affairs, Government of India, New Delhi, May 24, 1965.

[15] Seventh Meeting of the All India Council of Mayors, *op. cit.*, p. 17.

[16] See *Improving City Government*, Proceedings of a Seminar, Indian Institute of Public Administration, New Delhi 1958, p. 17.

[17] This was suggested by Shirole, B. L. at the First All India Mayors Conference held at Hyderabad 1958, Quarterly Journal of Local Self Government Institute, Bombay, January, 1959, op. cit. p. 458-9.

[18] *Report of the Rural Urban Relationship Committee*, Government of India, Ministry of Health & Family Planning, New Delhi, June, 1966, p. 70.

transmitted to the mayor.[19] This arrangement should be followed without hesitation if it would improve matters.*

Some others desire that the mayor should exercise administrative powers of appointing[20] and disciplining council staff, financial powers of approving contracts and expending money in emergencies and associating himself with planning and developmental activities of the Corporation and that he be the Chairman of the Development Board.[21] For example, the Rural-Urban Relationship committee also recommended the constitution of two committees one for purposes of co-ordination and the other for the sanction of tenders and that the mayor should be associated with both the committees.[22] The Zakharia Committee recommended the constitution of a Co-ordination Committee,[23] presided over by the mayor, consisting of all the chairmen of the committees and three other councillors, with the committee meeting bi-monthly and the Commissioner required to attend its meetings. The secretary of the Corporation would be secretary of the committee. Thus the mayor is expected to emerge as the co-ordinating authority in the Municipal Corporation.

Further, it is suggested that the mayor should be enabled to hear appeals against the orders of the commissioner. The Rural-Urban Relationship committee recommended the constitution of an Appellate Committee headed by the mayor with four councillors to hear appeals against the decisions of the Executive.[24] This suggestion does not appear to be a very sound one, for the commissioner is an experienced and senior officer belonging to a superior cadre such as I.C.S.[25] or I.A.S.[26] If the mayor, a politician without such administrative experience, were to hear appeals, it would be subjecting reasoned decisions to the caprices of an untrained mind, lacking the capacity to sift available evidence or the qualifications needed to review and modify decisions arrived at after careful and detailed consideration. It would be a different thing if appeals were to lie to a judicial body or to the Government with whom maturity and reason prevails.

By conferring all such powers, it is sought to make the mayor an executive and administrative authority having control over the staff and affairs of the Corporation. That a cabinet form of government should be tried at the municipal level, perhaps is more important than all the recommendations

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[19] Vide Rural Urban Relationship Committee, *op. cit.*, p. 70.

[20] *Report of the Committee for revision of the Acts relating to Municipal Corporations in Maharashtra State*, Government Central Press, Bombay, 1964, p. 5.

* *Presumably the authors refer here to copies of all correspondence on matters upon which the mayor needs to be informed and not as might be implied to all the correspondence of the Corporation.* Ed.

[21] *Ibid.* p. 70 (known as Zakharia Committee).

[22] Vide Rural Urban Relationship Committee, *op. cit.* pp. 61-62.

[23] *Report of the Committee for revision of the Acts relating to Municipal Corporations in Maharashtra State, op. cit.*, p. 8.

[24] See Rural Urban Relationship Committee, *op. cit.* p. 70.

[25] The Indian Civil Service.

[26] The Indian Administrative Service.

referred to earlier. Prominent among those who advocated the idea of a Municipal Cabinet are B. L. Shirole,[27] V. B. Gogte and S. M. Kirod,[28] Krishna Iyer[29] and M. A. Muttalib.[30]

The desirability of trying a municipal cabinet (involving municipal portfolio-holders) was discussed by the Maud Committee. The advantages cited[31] were:

(a) That each member individually assumes responsibility for running a particular service; and

(b) A close working relationship can be established between the cabinet and the executive officer.

The working of the cabinet form of government at municipal level cannot be flawless. As stated by the Maud Committee, the disadvantages are:

(a) The cabinet member would become involved to such an extent that he would require an office and supporting staff to enable him to do his work.

(b) The member would become the head of the department with the principal officer (the Technical Officer of a municipal body in India) as his subordinate. This would reduce the discretion of the officer and increase the responsibilities of the Management Board member (Councillor) for which he is not well trained.

(c) Dispersal of responsibilities among committees would be substituted by fragmentation of "ministerial responsibility".

(d) The establishment of clear lines of accountability between the departmental officers and the individual councillors would make the position of the Clerk (Commissioner in India) untenable.

Finally, it is observed, the very unity sought to be established by the adoption of the Cabinet system of government might be destroyed by the special interests of the individual councillors.

No Case for more Powers

There appears to be a strong case as to why the presiding nature of the office of mayor should not be turned into an administrative and executive one. Once the mayor is made the executive authority, the office is likely to face all the problems and to experience all the defects inherent in schemes which are already well tested – like the Mayor Council Plan of America. First, there is bound to be friction between the council and the mayor as they are to share the policy-making functions. Second, the new role would demand from the mayor ability to exercise at the same time both administrative efficiency and political maturity – an unusual combination of virtues that would be hard to

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27 Shirole, B. L., *op. cit.* pp. 458-59.

28 See note of dissent submitted by the members to the Committee for Revision of the Acts relating to Municipal Corporations in Maharashtra State, *op. cit.* p. 23.

29 Krishna Iyer, *Civic Affairs*, 1963, op. cit. p. 22.

30 Muttalib, M. A. *Case for a Cabinet form of Government*, paper submitted to Seminar on Urban Administration, Department of Public Administration, Osmania University, June, 1967.

31 *Committee on the Management of Local Government*, Ministry of Housing & Local Government, H.M.S.O., London, 1967, p. 54.

find in any likely mayor. It is not uncommon for a mayor to have more administrative ability and less political maturity or vice versa. But to expect mayors always to possess a proper and happy blending of these two qualities is to wish for the moon. Thirdly, the mayor and the council may compete with each other, and bring council business to a deadlock through the one checking the moves of the other. It is quite unlikely that in such complicated situations the mayor would provide the needed political leadership. It would therefore mean that outside political forces would have to supply the leadership. Finally, administration must be increasingly recognized as problem solving, providing services and as enforcing rules and regulations in an impartial manner; the latter function is considered best administered by a specialist civil servant with training and experience to his credit. If these aspects of administration are accepted, then the mayor may not be the suitable person to discharge such functions.

Conclusions

Adequate experimentation in social institutions has not yet taken place in this country to warrant either implementation or extension of schemes based on the results obtained so far in the field of municipal administration in India. Indeed, precious little that had been attempted in erstwhile Uttar Pradesh and in erstwhile Madhya Pradesh connotes a severe note of warning against granting more powers to the mayor.

Ali Ashraf, while discussing the causes of inertia in Calcutta Municipal Corporation, has examined alternative possible reforms. He feels the City Manager system is no solution to the problems of the Indian cities, and holds the view that adaptation of the "Strong Mayor" Plan for Calcutta may provide an opportunity for true executive leadership by a politician.[32] The success of the strong mayor-plan when applied to Indian cities depends upon the following factors:

(a) the plan calls for exceptional political talent;

(b) a person possessing the requisite ability contesting for mayorship;

(c) his achievement not being restricted by jurisdictional and financial circumstances;

(d) conferring additional powers and finances on the Corporation, which also demands a longer period of office for the mayor.[33]

Striking a balance among available alternatives, Ali Ashraf preferred the committee system with the advantage of continuity, to the charismatic qualities of a particular person, the strong mayor.

If the mayor is to be the executive authority, he must necessarily be subjected to removal by a vote of no confidence. But ousting the mayor from office by a vote of no confidence is considered belittling his dignity and certainly derogatory to the grandeur, pomp, glory and influence the office wields. Further, if the mayor is to exercise executive functions, he is to be exposed

[32] Ali Ashraf, *The City Government of Calcutta*, Asia Publishing House, Bombay, 1966, p. 84.
[33] *Ibid.*,

to real politics and the attendant pressures that mar his prestige. Therefore, the Rural Urban Relationship Committee also did not favour any substantial increase in his powers.[34]

In his position today, the mayor is devoid of any significant statutory authority. He may have to live and thrive more on his extra-statutory influence, and not by the exercise of any specific powers granted to him. The reputation of the mayor may increase in direct proportion to his character, ability, personality, influence and his party's power. A wise mayor will and should depend on these factors, rather than wasting his time seeking to rediscover and exercise powers that do not properly belong to him.

A shrewd politician even within the ambit of his non-powerful presiding role, can earn goodwill and wield influence, by according due recognition to council members, by being impartial as a Presiding Officer, by placating his own group in the council, by respecting the chairman and members of the standing committee, by his amicability with the commissioner and by maintaining harmonious relations with the officers of the Corporation. Maintaining such delicate public relationship with various agencies may indeed be difficult but for an intelligent and seasoned politician of talent and tact, it should not be beyond his capacity.

[34] Cf. Rural Urban Relationship Committee, *op. cit.* p. 70.

District Development Committees in Malawi: A Case Study in Rural Development

By ROBERT A. MILLLER

Mr. Miller is a Research Fellow, Program of East African Studies, Syracuse University.

It is a mistake – where rapid development is the primary objective – to maintain "local autonomy" or "freedom from central government interference" as the governing principle in central-local relations. Poor local governments, like poor people, are likely to get poorer if left to their own resources. They need help if they are to overcome their disabilities and realize their potentialities for useful service.[1]

It is my intention to make the District Development Committees the main instrument for securing rapid progress throughout the country and to expand the responsibilities of the Committees in this field in accordance with their capacity.[2]

Introduction

"Centralization is best defined as involving the concentration of power at the top of the pyramid and decentralization as indicating the dispersal of power throughout the structure . . . (devolution) means the transfer of power to geographic units of local government that lie outside the formal command structure of the central government."[3]

In some countries a more centralized type of organization might result in a society more conducive to change. Yet in many other countries the danger lies in excessive centralization which causes interminable delays, is often based on a lack of reliable information about the outlying areas, and which suffers from a poor communications network with the rural hinterland. The problem becomes one of reconciling the need for a strong central government with the dangers of a remote, sluggish central administration which stifles what Jawaharlal Nehru called "conditions in which a spontaneous growth from below is possible."[4]

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[1] Emil J. Sady, "Improvement of Local Government and Administration for Development Purposes," *Journal of Local Administration Overseas*, Vol. 1, No. 1, January, 1962, p. 147.

[2] Aleke K. Banda, Minister of Development and Planning, Malawi, circular letter dated 3 February, 1967, addressed to the Chairmen of all District Development Committees.

[3] Frank P. Sherwood, *Devolution as a Problem of Organization Strategy*, (Bloomington, Indiana: Comparative Administration Group, 1968), p. 9. The distinction between decentralization and devolution, which is the nomenclature adopted in this paper, has also been termed deconcentration and decentralization, with the latter term referring to more or less autonomous units. See Harold F. Alderfer, *Local Government in Developing Countries*, (New York: McGraw Hill Book Co., 1964), p. 9, ff.

[4] Jawaharlal Nehru, *Community Development and Panchayat Raj*, (Government of India Publications Division), p. 8.

When the idea of District Development Committees was first put forward in Malawi by Aleke K. Banda, then Minister of Development and Planning, the Secretary for Local Government strongly pressed the point that these committees should be committees of the district councils. The ineffectualness of the councils, amongst other reasons, led to the rejection of this proposal. Thus the decision was taken that local participation in the process of development would be achieved primarily through decentralization rather than by devolution.

Background

District Development Committees were approved in concept by the Malawi Government in January 1965. They only became operational in September 1966 after the first training courses were introduced for members. At this point, and for the first time, an administrative officer at headquarters was assigned full-time to this work, and pressure was exerted on the Committees to meet on a regular basis. Prior to this the Committees met only when the Minister of Development and Planning (Aleke Banda) came to address them or when senior officials visited. This was by design as basic policy decisions were still being made and it was hoped to avoid an abortive start which, despite this caution, was not evaded.

It was recognized by the government that the success of national development was dependent to a considerable extent on enlisting the latent energy and enthusiasm of the rural people and harnessing this into practical support of development programmes. District Development Committees (D.D.C.s) were formed and it was envisaged that they would be the primary vehicles in effecting grass roots participation and involvement. To achieve this, it was thought to solicit the views of the district leaders on which types of projects they desired. This was done with the unfortunate result that the government became inundated with requests from the districts which, while many were sound, the government was not able to support because of its financial position. Scarcity of resources, although a real problem, was not, however, the major difficulty. Instead, prior to the government's seeking the advice of district leaders, projects had already been put forward by ministries and external as well as local resources were practically all committed. It was poor planning which accounted for this false start. The failure to implement the great majority of schemes put forward by the districts resulted in some demoralization at this level.

At this juncture there was a complete reversal in government policy and the committees were no longer viewed as sounding-boards by which the government could be appraised of district priorities. Instead, the committees were enlisted to support approved programmes, especially in the field of agricultural extension. In fact, the first D.D.C. training courses concentrated on agricultural and other natural resources extension matters to the exclusion of all other subjects.

This re-orientation of committee work into a narrow and limited area permitted a more solid foundation to be laid. Albert Hirschman concurs that "a good way for an agency to become multi-purpose is to be first securely

and completely grounded in one purpose. Starting out with a specific task, the agency uses the task to make itself strong enough to overcome the inevitable opposition that will arise when it finally does spread out into functions that overlap those of existing agencies."[5] Instead of dissipating their energies on a wide range of subjects, the committees were able to concentrate on a few matters of major concern such as encouraging the application of fertilizers, early garden preparation and planting, weeding and marketing matters.

For the first year of their operational existence the D.D.C.s fell within the portfolio of the short-lived Ministry of Development and Planning. While this was not entirely a happy period, nonetheless the District Development Section was able to develop its own patterns of behaviour and its own individual identity. This autonomy was somewhat diluted with the transfer of the section to the Development Division of the Ministry of Economic Affairs, also under Aleke Banda, which replaced the now defunct Ministry of Development and Planning. Yet the groundwork had already been laid and by the time of its transfer the section already had developed basic doctrines and operating procedures which were firmly entrenched. The section was strengthened by a more complete integration into the matrix of government, which, by this time, had become essential and which served to the advantage of the D.D.C.s.

Action Groups

The composition of the committees includes representatives of the Malawi Congress Party, the District Council, and heads of departments at district level.[6] The intention was never that the impact of the committees would be limited to district level but that they would influence Malawian attitudes down to village level. As Aleke Banda stressed, "it is not enough to hold a lot of meetings or discussions. Discussions or meetings should be immediately followed with action so that tangible results could be realized without delay."[7] Members were to accomplish this by using their constituencies so that committee decisions were known and implemented by the villager. For example, the Chairman of the Malawi Congress Party for each district was to make such decisions known to his officials at branch and village level. The Chairman of the District Council was to ensure that all councillors knew and supported the work of the committees, and the District Commissioner was to mobilize the native authorities under his jurisdiction in this work. Although the concept was theoretically sound, in practice this follow-up work was not done and many decisions died in the committee room at the *boma* (district headquarters).

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[5] *Development Projects Observed* (Washington, D.C.: The Brookings Institute, 1967) p. 51.

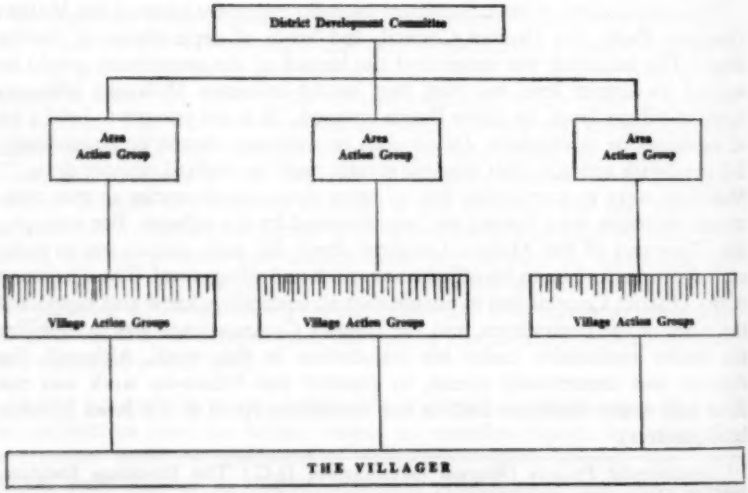
[6] Full membership includes the District Commissioner (Chairman), Members of Parliament from the district, District Chairmen of the Malawi Congress Party, League of Malawi Youth and League of Malawi Women, Chairman and Clerk to District Council, Farmers Marketing Board Supervisor, Agricultural Officer, District Education Officer, and Community Development Worker. The Chairman has the power to co-opt the senior district representative of other ministries and departments, chiefs, and other influential persons who are not members of the committee to attend any meeting to provide any relevant information or assistance.

[7] Address to the Cholo D.D.C., minutes of the meeting of 4th April, 1968.

It was suggested by several committee chairmen that a more formal organization would have to be formed below the district committee if development was to be carried to the rural areas. They felt that their objectives could be attained more readily through the establishment of more formal lines of communication at village and area levels. Action groups were recommended and accepted, not as discussion groups, but rather as executive agents of the main committee.[8] The membership, selection of chairman and organization of these action groups vary from district to district according to local conditions. The Northern Region responded most enthusiastically and action groups spread rapidly thence throughout the country.

Karonga district formed the most effective groups and because of its success some comment is deserved. Its organization is based on a tiered system with three area action groups, chaired by the chiefs of Karonga, formed below the D.D.C. In turn, the chiefs have formed action groups at village level. Extension workers from the Department of Agriculture are available for advice and guidance and a demonstrator skilled in a particular agricultural specialty is seconded to village action groups whenever it is considered appropriate to embark on some intensive campaign of agriculture. The education of these groups at area and village level has been through encouraging them to attend training courses. In Karonga there is already a training centre at Baka near the *boma* and two others are planned which will

Table I. ACTION GROUPS



[8] Action groups were accepted in principle at the Fourth Meeting of the District Development Sub-Committee, held on 1st December, 1966. This Sub-Committee, chaired by Aleke Banda, with Secretaries of Development Ministries as members, served for a brief period as the policy-making organ for the D.D.C.'s. In the minutes of this meeting it is recorded that the Minister stated: "The policy of the Government is in opposition to the proliferation of committees, therefore, no formal committees may be formed below the D.D.C.'s. However, informal action groups may be set up . . . to aid in district development as needed." This opened the door to the widespread use of action groups.

coincide with the area groups so that each will have its own training centre. If the D.D.C. feels that there is some major problem which needs attention, a campaign is mounted through the action groups.

The concept of action groups proved to be a sound one which permits responsibility to be pinpointed so that should problems arise in some locality these problems can more easily be resolved by contacting one man, the chairman of that area's action group, as the responsible person. Generally it can be said that the most effective D.D.C.'s exist where there is the best organization of action groups. Figure 1 illustrates the simplicity of organization which was achieved with the formation of these groups.

Preliminary Evaluation

By the end of January, 1967, the committees had been functioning for six months and a preliminary evaluation was attempted. It was found that the committees had been serving a valuable purpose. For one it served as a forum by which district leaders from all spheres were kept informed of the government's aims and objectives. It also served as a forum in which civil servants and Malawi Congress Party (M.C.P.) officials were able to meet together and in many instances resolve their differences. This alone is an important measure of success and although serious differences still exist the committees have played a major part in their amelioration. With the establishment of action groups, native authorities were also brought into the picture and they have participated, in some cases to a major extent, in the rural development work involved.

Native Authorities

Government's policy towards the chiefs in Malawi is a difficult one to discern with complete accuracy. While respect is duly paid them, especially on ceremonial occasions, they have been kept more or less outside the mainstream of events. Chief Mwase of the Chewa and Inkosi ya Makosi M'melwa III of the Northern Angoni exert considerable influence and doubtless their views are of importance and considered by the President. But no chief is permitted to use his independent power base to criticize government or party. This became apparent when Inkosi Gomani, paramount chief of the Angonis in the Central Region, was deposed in 1967. Yet it appears that the government will welcome the participation of traditional leaders in the development plan if this can be accomplished within the framework of the government and party. Senior officials have praised the contribution of the traditional leaders in the Northern Region and suggested that public recognition of their efforts would have a significant impact on the improvement of agriculture in the rural economy.

Malawi Congress Party

Whatever the influence of the chiefs it becomes marginal when compared to the Malawi Congress Party (M.C.P.). The M.C.P. is Malawi's only praty which can be explained because of the need "to promote national integration and prevent secessionist movements . . . which might grow up around

ethnic-regional groups."[9] There are certain advantages to an organization such as D.D.C.s in operating in a one-party state. "If there are two rival parties, it may be difficult for local officers . . . to exert any real pressure, since their political chiefs would be afraid of losing votes. But with one-party government . . . there is a good chance the politicians and administrators will be pulling together, the prospects are better."[10]

Inevitably there are periodical tensions and friction with the single party and there is a natural tension between politicians and civil servants which is heightened in Malawi because the delineation of power and authority at district level is ambiguous. Perhaps the most successful are the more mature Malawian D.C.s who with age and experience are best able to cope. Until the lines of authority are drawn more clearly within the districts, this problem will remain but, fortunately, many capable and committed leaders on both sides have learned to co-operate with one another. Where this is achieved, then the political support given to Committees can be invaluable. "One of the principal utilities of political organization is its capacity to shield and protect administration . . . Where action programmes are likely to meet resistance from hostile interests . . . where the community must be encouraged to take some positive action in the face of apathy, misunderstanding, or opposition, the political techniques of persuasion and the example of a group of positively committed individuals may spell the difference between the success and failure in the execution of development programmes."[11] The non-site-bound nature of D.D.C. activities makes insulation from politics impossible.[12] In light of the importance of political support for D.D.C. activities, it is disappointing that the attendance of politicians at formal meetings is not higher than some 60 per cent. While their participation must be encouraged, high level political direction is needed to ensure that all committee members work together to promote development and are not diverted to parochial party purposes. If the D.D.C. becomes identified with the latter, its usefulness will be negligible.[13]

Funds for D.D.C. Activities

Despite some shortcomings on the political side, the Committees made useful progress in establishing themselves firmly. The committees were providing a valuable service to government in the dissemination of information and in some cases in changing the attitudes of many farmers so that they

[9] Immanuel Wallerstein, "Decline of the Party in Single Party States," in Joseph La Palembara and M. Weiner (eds.), *Political Parties and Political Development* (Princeton University Press, 1966), p. 204.

[10] Guy Hunter, *The New Societies of Tropical Africa*, (New York: Frederick A. Praeger, Inc., 1964), p. 110.

[11] Milton J. Esman, "The Politics of Development Administration," in John O. Montgomery and William J. Siffin (eds.), *Approaches to Development: Politics, Administration & Change* (New York: McGraw Hill Book Co., 1966).

[12] The concept of site-bound vs. footloose projects and its political effects is explored in Albert O. Hirschman, *Development Projects Observed*, (Washington, D.C.: Brookings Institute, 1967) p. 93.

[13] In *The Times* (Malawi) of 10th September, 1968, it is reported that "the Nkotakota District Malawi Congress Party Chairman . . . has appealed to the people there, through their action groups, to contribute food and other things to the following MCP Annual Convention in Lilongwe." As of September, 1968, when the author left Africa, the use of the D.D.C. organization for purely political purposes was a relatively rare occurrence.

were willing to adopt new methods of agriculture. Despite this it became apparent that the interest of members would diminish if their role continued to be confined only to supporting approved programmes and some members felt that they had been relegated to the position of government agents with little influence as to which development projects took place in their districts. The intensity with which committees expressed this view led the author, as officer-in-charge of the District Development Section, to report the matter to the District Development Sub-Committee of the National Development Committee which was chaired by Aleke Banda.

> While the committees for the most part have lent considerable assistance to approved programmes of Government, their demand for participating in the assigning of priorities is increasing. It is important that when members tour the villages, they can point to developments in which they have played a part. This is required to maintain the enthusiasm of members, as well as to enhance the prestige of the committee in the district. All too often, when a committee recommends some form of district development the ministry concerned must reply that although the project deserves merit, all development resources have been allocated. This diminishes the spirit of members. It is recommended that the Ministry of Economic Affairs be provided with a limited allocation of funds which can be used in support of programmes suggested by the committees.[14]

Self-Help

The first step towards securing an independent financial base for the committees came at the end of 1966, when it was decided that the D.D.C.s would be responsible for aided self-help projects. Most of the funds for these projects come from the U.S. Agency for International Development (AID) which has been supporting the self-help programme in Malawi at the rate of 50,000 dollars a year. These funds are, in the first instance, received by the U.S. Ambassador who, under current United States State Department regulations, is able to allocate them without the prior approval of Washington.

Previous to this decision, self-help projects were dealt with through the Department of Community Development and grants were made to the District Councils. AID agreed to reimburse the councils on approved projects once completed but because of the very insecure financial position of the councils many were unable to advance funds in the first instance. But the self-help programme also failed because of the inadequate departmental control that was exercised – indeed no action was taken to withdraw committed funds on projects which were languishing for considerable periods nor any serious attempts to revive them. A.I.D. expressed considerable concern and the Head of the External Aid Unit concluded that "under the present arrangement (the government is) in danger of losing U.S. support." Once the aid began to be channelled through the D.D.C.s a system was arranged by which the Malawi Treasury advanced funds to self-help projects. This eliminated one major difficulty and in addition careful control has been exercised over aided projects and A.I.D. expressed its satisfaction with the new

[14] Robert A. Miller, *District Development Committees, Progress Report*, January – August, 1967.

programme. Fearful of being burdened with the old projects which were in decay, the District Development Section obtained permission to assume responsibility *only* for new projects. "The new financial system (became) effective for any new A.I.D. supported projects, but *not* for any projects which (had) already drawn on funds from the District Council reimbursement system and/or commenced construction under the old terms."[15]

As in Tanzania, strenuous efforts were made "to bring about some order to the system (by) establishing an administrative system embodying a philosophy of close co-operation between village action groups and a hierarchy of administrative units."[20] But in Tanzania the established system was often by-passed in an effort to hasten the process of approving projects.[21] In Malawi every effort was made to build speed and efficiency into the system to avoid the unorthodox approach which was developing in Tanzania. Attempts were also made to avoid the conversion of self-help into an *investissement humain*, of using cheap labour to replace scarce capital. Fortunately, the local character of self-help in Malawi remained pretty much intact except for a secondary school self-help programme which was fostered from the centre by the Ministry of Education.

Four Peace Corps Volunteers were recruited and equipped with landrovers so that they were fully mobile. Their main duty is to give technical assistance to aided projects so that scarce funds are used to the best advantage. The Volunteers assist projects which fall between those which can be done by the local people through their own efforts and those which must be undertaken by the Ministry of Works and Supplies. Not only has this increased the standard of construction on aided projects but this work has also helped to improve self-help generally. As one Volunteer put it:

> "Each month the organized self-help programme improves and becomes a better vehicle for the channelling of funds to needy projects. With each aided project comes noteworthy auxillary benefits. In fact, most self-help schemes are unaided by external funds. These range from the construction of latrines and wells to the housing for government staff who would otherwise be unable to take their posts at schools and clinics, to the building of schools and medical facilities themselves. Although the externally aided projects are a minority, the way in which they are handled strongly influences the majority of locally financed undertakings. Part of the organized schemes' benefit is the increased competence of the locally based Community Development Assistant and D.D.C. in handling improvement schemes of any description."

The Volunteers technically review each application for self-help funds put forward by the D.D.C.s, and check the bills of material. The Volunteers have been a most valuable addition as they have ensured that the standard of aided self-help projects has justified the assistance rendered by A.I.D. and this in turn has encouraged the U.S. Government to enlarge the programme.

Two examples of successful self-help projects undertaken under the D.D.C. self-help programme will help to illustrate the form these projects take. In both instances the project is described by the Volunteer who served

[15] Ministry of Dev. & Planning, Reference Number D.H/4/42/29, 20th February, 1967, basic policy statement on self-help circulated to the Chairman of all D.D.C.'s.

in the Southern Region. The first project was undertaken in Fort Johnston district, one of the most impoverished in the country.

"When I arrived last year I found the Mpiri-piri area in desperate need of many of the essentials commonly found in other parts of the country. The nearest bus stop is more than 50 miles away. In addition to its isolation, the lack of teachers' houses, the low rate of school attendance, and the school itself (consisting of two rooms made of grass) contributed to the problem of securing good teaching staff.

"The people of the area had for some time been discussing the situation but were unable to meet the costs of adequate facilities from their own resources. Still they decided that one step forward was better than none at all.

"They decided that they would make their own bricks and use local materials for doors and shutters. The floor would be mud and the roof made of grass thatch to drive expenses down still further. Finally, even though they cut costs to the bone they would have to settle for only half a school because there was no way to pay for eight classrooms and an office at that time.

"The Community Development assistant had been counselling them for some time and after the people demonstrated their good faith by making some 35,000 burnt bricks he brought up the possibility of securing some help from A.I.D. At this time an application was tabled at the D.D.C. asking the Ministry of Economic Affairs to request help from A.I.D. An agreement was reached and £519 became available.

"The people again pitched in to do their part, moulding and burning an additional 100,000 bricks to build the full school. Instead of four undersized classrooms there will be eight with standard sized rooms and office accommodation for the staff. Iron sheets will replace the grass thatch and eliminate the need for yearly repairs. Instead of wooden shutters and doors which so easily fall prey to white ants, there will be steel windows and doors. Instead of the mud floor there will be cement plaster on brick."[16]

The second project took place at Chingale in Zomba district, which is about 25 miles from the capital.

Without question the most pressing concern in this area is the immediate shortage of good water. If this project is successful (and indications are that it will be) there will be a relatively low cost per capita solution to the problem of water supply in similar areas. In addition to low cost (£3,300) this scheme has the advantage of simplicity and durability. A small dam will channel water from the side of Zomba Plateau into a two inch plastic pipe which will carry it four miles to the usually dry Chingale plain. This water would otherwise drain away into the local sandy soil.

The Community Development assistant has the unusual problem of rarely finding the people on the job yet always finding the day's work done. They begin digging the two and a half foot deep trench at first light and continue until about daybreak when they go off to their gardens for their daily chores.

[16] This series of quotations comes from a report by the Technical Adviser to Self-Help Projects in the Southern Region dated 31st August, 1968.

> At present the women must walk two to five miles for good water during the long dry season. Understandably they are the strongest motivating factor behind their husbands' efforts to complete the four miles of trench-work.[16]

The one serious weakness in the programme is administrative. The Volunteers are attached to the Department of Community Development when in fact their function comes under the District Development Section of the Ministry of Economic Affairs. With the agreement of the Secretary for Local Government terms of reference were redrawn to ensure that the Volunteers give absolute priority to aided projects.[17] This improved the situation considerably yet ample evidence continued to illustrate the shortcomings of locating the Volunteers in a separate ministry and the author, in his final report, strongly recommended that unity of command be achieved by placing the Volunteers directly in the District Development Section. In Malawi, Community Development focuses very narrowly on the village while the D.D.C. organization is district and nationally oriented.[18] These approaches often conflict, thus heightening the practical problem of dependence on staff belonging to another department.

Despite this difficulty the self-help programme of the D.D.C.'s soon won a reputation for efficiency and effectiveness. As one Volunteer put it, ". . . self-help procedures are improving each year. Less than 50 per cent of the 1966 projects can be called successes. The 1968 projects promise to be more efficient, more rapid in completion, and technically more sound than their predecessors" . . . The Administrative Secretary in the Office of the President and Cabinet expressed this another way:

> "During my discussions with the committees, a number of problems have been thrown up, all of which show the members' awareness of and interest in, the various problems of development. To give an example, the members of these committees are well aware that having impressed upon the people the need to grow more crops, there is the problem of siting markets in the best places . . . and the need to improve feeder roads to make these places accessible. The committees have applied themselves to such problems and in a number of cases have suggested feeder (road) plans and assisted with self-help, in the construction and maintenance of these roads."

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[17] The Department of Community Development until recently came under the portfolio of the Minister of Local Government.

[18] The extreme village orientation of the Department of Community Development has been noted by outside observers. E. N. Burke, Social Affairs Officer with the United Nations Economic Commission for Africa, after visiting the Department stressed the principle "of promoting the development of the whole community as an integral part of the united nation" and implying that this was not being done in Malawi, he recommended that the department "consider slating itself more closely . . . to the Development Program." See his final report on his visit entitled Community Development in Malawi, 3rd August, 1967, pp. 26 and 28.

The self-help programme has become one of the main activities of the D.D.C.'s and a good reflection of their success.[19]

Another major source of funds for D.D.C.'s is the Christian Service Committee (C.S.C.)[20] An earlier programme by C.S.C., known as the *Utumiki* project had been cancelled by the President because it had recruited its own field staff and subsequently failed to integrate itself fully with governmental services. The President indicated his willingness to accept another form of assistance if it was offered through the existing governmental structure and a joint C.S.C. and Government of Malawi committee (C.S.C./G.O.M. Working Party) was established. The Development Division was the natural home for such a co-ordinating committee and the division supplied both its chairman and its secretary.[21] This gave the D.D.C.'s a privileged position in competing for the scarce resources of C.S.C. and the Secretary for Economic Affairs stressed their importance to representatives of the C.S.C.: "A carefully controlled programme of district development under the auspices of the D.D.C.'s would not only increase their effectiveness, but would also assist in meeting overall national objectives."[22]

Out of the £18,000 allocated at the first meeting of the C.S.C./G.O.M. Working Party, the D.D.C.'s were allocated £15,000 for drilling boreholes and the purchase of lorries to assist in the distribution of agricultural equipment etc. to farmers in the Northern Region. There is every indication that this form of assistance may be further extended.

A.I.D. and C.S.C. and the funds they have provided have enabled the committees to participate in a real sense in the assigning of district priorities. They ceased to serve merely as vehicles for transmitting and disseminating information and directives of the central government. Now they could play a more complete role in the development of their districts and the effectiveness and value of the D.D.C.'s were enhanced as a result.

Integrating Rural Development into the National Plan

While the financial support has been a great stimulus to the committees and has increased their competence as planners it has meant that they have been engaged mainly in *ad hoc* and piecemeal development as funds became available. It was suggested that they begin to deal with more comprehensive district development as such piecemeal efforts often result in wastage and ill-conceived projects when district and national requirements are analyzed as a whole. It was recommended by the author in his final report that the D.D.C.'s be authorized to put forward proposals as part of the overall national

[19] Garry Thomas, "Community Development and Nation Building in Transitional Tanganyika," (*Programme of Eastern African Studies, Syracuse University, Occasional Paper*, 1964), p. 29, claims that "it is generally agreed that self-help schemes are unlikely to make a significant net contribution to the country's economic development." In Malawi, the entire construction of primary schools and teachers houses, outside urban areas and those undertaken by Voluntary Agencies, were dependent on self-help, thus releasing capital for more immediate and purely economic projects. Experience elsewhere in the developing world would not seem to support Thomas' views.

[20] The Malawi branch organization of the World Council of Churches.

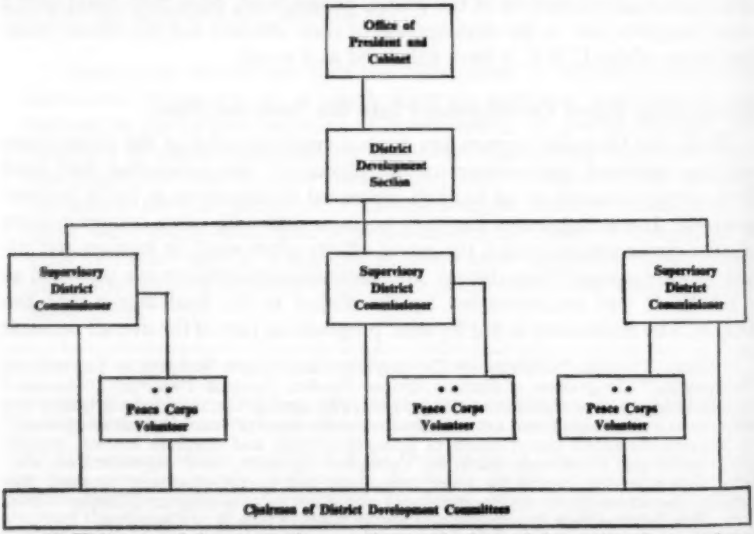
[21] The head of the division served as Chairman while the author served as secretary.

[22] Minutes of the first meeting of the C.S.C./G.O.M. Working Party held on 26th February, 1968. (The Secretary for Economic Affairs, Mr. Robert Dewar, has now moved to a position with the World Bank.)

development programme, and compete for available resources based on the merit of each of their projects, instead of procuring their own funds and thus being useful but ancillary to the overall plan. At present the national plan is confined to those projects which are suggested at the centre by ministries and departments. Should this recommendation be accepted, the D.D.C.'s would become an integral part of the planning mechanism. This would serve the dual purpose of making the plan more realistic by taking account of local conditions and local aspirations and would also kindle the desire of the rural people to participate in its implementation.

Organization

The chairmen of the D.D.C.'s are the District Commissioners who come under the Office of the President. This caused an administrative problem as the District Development Section was in the Ministry of Economic Affairs yet found itself constantly in the position of issuing instructions to officers of another ministry. While there was full support and co-operation from the President's Office, the arrangement was awkward. The transfer of the District Development Section to the Office of the President would not only eliminate this problem but would also have the advantage of providing regional officers for district development work, for the Office already had stationed Supervisory District Commissioners in the regions. The difficulty of giving the committees adequate supervision and assistance entirely from the centre had become obvious and these officers could alleviate the difficulty by providing a direct link to the districts. In late 1968, this recommendation was accepted and the ideal of unity of command came much closer to realization for the district development system and this is illustrated in Table II.



** This part of the proposal, according to the latest information, has not been accepted to date, although consideration is being given to transferring the Volunteers from the Department of Community Development to the District Development Section.

Leadership

In the establishment of any new organization leadership becomes one of the most crucial variables. In matters relating to development this leadership needs to come from the very top, and one can cite the remarkable success achieved in Malaysia where the Deputy Premier, Tun Razak is personally in charge of the development programme.

In Malawi there is no deputy leader but Aleke Banda has clearly the full confidence of the President and gave the high level personal leadership that was needed to get rural development through the D.D.C.'s under way successfully.

In late 1968, Aleke Banda ceased to be responsible for the D.D.C.'s and they were transferred to the Office of the President and Cabinet. Subsequently, he became Minister of Trade and Industry, and is now Minister of Finance and Minister of Information and Tourism. With the D.D.C.'s directly in the President's Office, the criteria that rural development be directly under the control of the President has been realized. As President it is clear that he cannot devote his full attention to the D.D.C.'s and it appears that he has delegated some of the responsibility to Alec Nyasulu, the Minister of State for National and Regional Development.[23] Yet the line of command is directly to the President and with his active support the D.D.C.'s should have a stronger power base than ever before.

Expatriate View of D.D.C.'s

When the D.D.C.'s were first introduced they were received with considerable scepticism by a number of British officers, many of whom hold very senior positions in Malawi's civil service. Because of their concentration at the highest levels of the administrative service, and the likelihood that many will remain as long as the President pursues his present policy over staffing, their support and approval is of great importance.

Following a tour of District Headquarters in January 1968 a senior expatriate official in the Office of the President reported that he had met three District Development Committees in the Northern Region and as a result had revised his previous thinking about them. He now considered that the concept of District Development Committees was sound and, given the right type of leadership and assistance that they would go a long way to effecting reforms in the economy of the country.

With the relocation of the District Development Section to the Office of the President and Cabinet it appears more likely than ever that this leadership and assistance will be made available.

Conclusion

District Development Committees, although only recently grafted onto the structure of the Malawi Government, have become well-established organizations for effecting change in the rural areas of the country. With the active and enthusiastic support of Aleke Banda the committee system has

[23] See *The Times* (Malawi), 13th February, 1969, p. 4, for a report on Nyasulu's tour of D.D.C.'s.

matured and is now well able to stand on its own. The possibility of further growth is excellent and it is likely that the District Development Committees will soon become, if they are not already, one of the major components of the developmental process in Malawi.

One of the primary reasons for the success of this venture has been the decentralized nature of the organization. While within this broad framework of decentralization the District Development Section and the committees have had some independence, the major thrust of the enterprise has been towards the development of very close relations between the centre and the committees, and in turn between the committees and the villager. The problem of reconciling the need for a strong central government with the need for local responsibility has been resolved in favour of a balance between the two but with close liaison and final authority resting with the centre. It is suggested that for many of the developing countries rural development will most successfully be secured within the context of the central governmental system, and not through the proliferation of a complex of autonomous local authorities which are able to derive little support and guidance from the centre.

Quarterly Notes

IULA Congress in Vienna June 1969

(A note contributed by Dr. A. N. Marshall)

A Congress arranged by IULA is usually a grand affair planned well in advance, with hundreds of delegates from all over the world meeting together in an imposing capital city. The 1969 Congress in Vienna fell into this category. Information about local government finance had been collected during the preceding twelve months, had been studied and was presented in the form of a book of some 550 pages in which the replies from 33 countries were reprinted together with a commentary and set of statistical tables. The Congress took place in the magnificent Rathaus.

The Congress book provides what we can expect to have only intermittently: an up-to-date picture of local government and its finance on a world-wide scale. It is therefore an indispensable mine of information for all who are interested. It contains much that is fascinating. There are for example all those methods of taxation, simple and complex, productive and unproductive. It seems that practically everything is taxed for local government purposes somewhere in the world. There are taxes on personal incomes and on corporate incomes. There are indirect taxes on sales and purchases and even on the standard of living, for example a tax on pianos, though these are fast disappearing. Then there is local government's universal stand-by tax, the local property tax. It seems that the countries which are best off are those with taxes with an elastic yield growing with the economy of the country. Scandinavia's income tax is the best example. Another desirable feature is the possession of two or three varied taxes. Germany offers an obvious illustration of this having now a business tax, an income tax and a property tax. A comparison of local taxes in 1955, the last time IULA collected information on finance, shows that fundamental changes have been few. The central conclusion of 1955 – that autonomous finances and independence go hand-in-hand remains.

There is similarly much intriguing data about grants from higher authorities. Practically all countries make use of them. Specific grants, used mainly as stimulants, re almost universal, and general grants are making headway because of their ability to allow freedom to the local authority and to take account of inequalities both of means and of needs. Usually they are based on weighted population, the chief weighting factor often being taxable capacity. There is certainly no excuse for any country being ignorant of what others do, as regards taxation, grants or borrowing methods.

As to economic aspects of local government activity it appears that though local government is increasingly regulated to keep it in line with national economic and financial policy local authorities are not in general active in economic matters. They are occupied still with the traditional task of providing the infrastructure. There is, however, a growing awareness that they have a

positive contribution to make to the economic development in their localities. It is now generally recognized that physical planning cannot be separated from economic planning and that local authorities should concern themselves with the economic health of their areas. In fact, the more advanced countries have something to learn from some of the developing countries in this respect.

Of local authorities' importance in the scheme of things there is no doubt whatsoever. Their duties are extensive and intricate, and they spend an appreciable proportion of the national income in most countries. Out of 18 countries for which a comparison was possible the one with the most active local government showed that local authorities spend 18 per cent of the Gross National Product, and that out of 18 there are 9 which spend over 10 per cent. Local authorities cannot therefore complain that they have not enough work. The evidence submitted by the 33 countries also showed that local authorities in general are losing very few services to the central government. On the contrary their work and responsibilities increase.

The fears of local authorities are, as ever, centred on the tendency – noticeable in several countries for local government to become increasingly dependent on higher authorities for finance. Comments made during the Congress showed the need for local authorities actively to combat this trend.

It is of course at least in part a result of the conflict between the centralizing tendencies of our time and local freedom. Local authorities have to accept a greater measure of central influence; central government have to put up with inconveniences brought about by local autonomy. Local freedom must be marginal rather than absolute, but it needs to be closely guarded.

Concurrently with the main sessions of the Congress there were working groups studying particular problems. Of these the most exciting was the development of managerial techniques and of the computer. A spectacular demonstration of the retrieval of information was given to a large audience when the treasurer of an English county, standing on a platform in Vienna put over on a land line questions to his computer in England and received immediate answers.

One had the impression that IULA might have to return to local finance in future after a much shorter interval than that between 1955 and 1969; so fast do developments now take place socially, economically and technically.

The book is published by IULA and the present writer hopes that the fact that as the rapporteur he was responsible for its compilation will not deter anyone from procuring a copy. The subject matter is of vital importance.

FIJI – *Rural Development*

The Chief Minister, Ratu Sir Kamisese Mara, K.B.E., has launched a new co-ordinated approach to rural development in Fiji following a report by Mr. Guy Hunter on its organization and administration (C.P. 6/69).

The aims of the new approach are to extend self-help schemes in such activities as new school buildings, village and settlement water supplies and island fishing projects, to new areas of activity such as private afforestation; to involve people in the countryside in the preparation and execution of the rural sector of the next five-year national development plan from 1971; to

provide a simple framework, in the absence of comprehensive rural local government, for greater co-operation for common practical ends between different communities living in the same locality, such as school-building; and to co-ordinate existing field agencies to achieve these aims.

The district administration has been relieved gradually of many former responsibilities, such as managing Fijian schools, administering destitute relief, supervising land settlement schemes, constructing feeder roads, doing the work of deputy sheriffs and holding magistrates' courts. While retaining some residual functions, it will now play a key role in preparing, co-ordinating and executing district development plans.

The Development Committee of the Council of Ministers will lay down guide-lines for central Government's contribution to rural development. Within this framework, and guided by a Commissioner for Rural Development in the Chief Minister's Office, field officials of Government departments will work on district and divisional development committees with local leaders of the various communities (Fijians, Indians, Europeans, Chinese and other Pacific Islanders) to prepare rural plans which will be integrated into Development Plan VI from 1971. Assistance will be given to these local leaders, as an experiment in selected areas, to find out and analyze local problems and methods of tackling them, and to elicit constructive response within the resources available both inside the community and outside it.

It is hoped that this measure of decentralization and participation in planning and executing rural development will not only provide a framework for greater advance in the countryside to parallel the rapid progress of the urban centres, but that the current moves towards self-government in Fiji, which now has a population of over half a million, will be reflected in more democratic thought and action at lower levels.

CENTO – *Industrial Vocational Education*

The increasing need for skilled technicians, craftsmen and operatives, and the over-riding importance of properly planned and organized patterns of technical education and training if the real requirements of industrial development were to be met, provided the keynote of the CENTO conference on industrial vocational education held at Ramsar, Iran from 23rd–30th June, 1968. The conference, which was organized and to a large extent financed by the CENTO office of USAID, was attended by delegations from all five member countries. The regional countries – Iran, Pakistan and Turkey – sent delegations drawn from government departments (planning, education, labour etc.), employers' organizations and trade unions: the UK and USA delegations consisted of experts in different areas of technical education and training, each of whom provided a lead paper on a particular topic as a framework within which to receive national reports from the regional members and upon which to base subsequent discussions in working groups.

The declared intention of the conference was to "develop a significant set of broad overall recommendations which may suggest needed policy decisions". The organizers placed great emphasis upon the need to ensure that

these recommendations should be "conceived as progressive and practical, reflecting top level management considerations which will influence the programme of vocational industrial technical education and training in each nation" and it is only fair to report that a number of very useful recommendations for collaboration between CENTO countries are contained in the published proceedings of the conference. Whether any of these proposals will, in fact, be adopted by CENTO for implementation on a multilateral basis is a matter of conjecture, although it was perhaps an unfortunate piece of timing which ensured that the conference should no sooner have dispersed than Pakistan announced her intention of withdrawing from CENTO. This coincidence symbolized much of what was wrong with the high-minded, idealistic approach to the problems under discussion: so many of the conclusions and recommendations dealt with "what should be done" rather than with "how could be done" that to put them into effect would require a sophisticated administrative structure and supporting services which, if available, would indicate that many of the problems had already been resolved. On the other hand, by highlighting the impracticability of idealistic multi-lateral solutions, the coincidence of Pakistan's decision may well help to concentrate attention upon the very practical proposals (if carried out nationally rather than internationally) for establishing properly based technical education systems. Thus three recommendations aimed at ensuring the participation of industry, government and the education service in the planning, development and administration of technical education and in the determination of standards could be implemented without too much difficulty in each of the three countries independently.

What then did the conference achieve? First and foremost, it provided an opportunity for an exchange of views on common problems and for an exchange of information on how those problems were being met and overcome in four other countries – because we must never imagine that the UK and the USA have themselves solved all the problems of proper technical education and training. Each country, and each delegate, was able, during the eight days at Ramsar to discuss and compare a wide range of problems and solutions: each delegate left Ramsar better equipped to respond positively to the challenges of the future: and each delegate knew that, in responding to those challenges, he or she was making a contribution, however small, towards a solution to a part of a worldwide problem. Having listened and taken part in all the discussions at Ramsar, both formal and informal, and having been impressed by the sincerity and ability of all those present during the conference, one delegate left with the thought running through his head that, in education as in all things, the best is the enemy of the good. So much time, effort and money is spent striving for the best system of technical education that there is no time, effort or money available to establish a good system of technical education.

A New Journal on Administration

We welcome a new contemporary – *Administration* published by the Institute of Administration at the University of Ife, Nigeria.

Book Reviews

Partners in Development: Report of the Commission on International Development, by LESTER B. PEARSON and others; *Praeger, New York, Washington and London*: 400pp. $2.50.

When the United Nations instituted the first development decade, what it did was to construct a framework within which to systematize a range of activities which already existed. It was a declaratory act, an act of recognition, a recording of a newly perceived phenomenon. It was not a creative act. It did not prescribe a new relationship, or even new targets, except in terms so broad as to be untranslateable into the concrete realities of a programme.

The principal characteristic of the decade was the growth of a new language to describe those activities to which historical processes had already given rise, the language of development assistance. This language, being explicit, illuminated the nature of the activities already undertaken, revealed hitherto unseen problems, stimulated the refinement of old techniques and the development of new ones, and even, within rather severe limits, gave rise to shifts in the areas in which activity was concentrated. To the extent that desired change could be brought about within a process of modification – or, to put it more emotively, of tinkering – the use of language was probably helpful. To the extent that the aspirations of developing countries had revolutionary implications, however, the language of the decade was probably a hindrance, for in explicitly identifying the need for change it alerted the majority who are resistant to change before the historical processes of the 1950s had fully taken hold. Many writers have commented on the coincidence that the creation of the United Nations Conference on Trade and Development (a linguistic event if ever there was one) was followed by a rapid deterioration in the aid climate. The two events were not entirely unconnected.

Historically, the significant events marking really fundamental changes in the relationship of poorer nations to the framework of international relations took place in the 1940s and 1950s, not in the 1960s. In the growth of international institutions which have acquired or were established with a special interest in development, Bretton Woods was more significant than the first Unctad. In the relationship between the USA and developing countries, the Mutual Security Act, which took American aid to Asia, was more significant than the creation of the Agency for International Development, which sought to rationalize it. Similarly, in the British context, the "wind of change" was more significant than the creation of the Ministry of Overseas Development. Within the developing countries themselves, the creation of the Indian Planning Commission was probably more significant than anything that has happened since in the field of national development policy-making.

That does not mean that the first development decade should be regarded, in some sense, as a bad thing. On the contrary, it was itself a part of the historical process. In 1960, the moment had come for the act of recognition. In performing that act, the international community moved from a broad

historical track marked by massive landmarks into a maze in which movement could only be achieved by the exploration of a bewildering complexity of narrow openings.

It may have been a failure to recognize the nature of this transition that gave rise to such widespread disappointment when, towards the middle of the 1960s, momentum was apparently lost. In recognizing and declaring what they were doing, governments and peoples implicitly expected to find themselves doing it faster, when the most that they should have expected was to find themselves doing it more systematically, and therefore rather more slowly. One among many who fell victim to this illusion was Mr. George Woods, the President, until 1968, of the World Bank.

In October, 1967, Mr. Woods made a speech in Stockholm which called for a "grand assize" to illuminate and revivify the international development effort. He appears to have had two analogies in mind. He wanted to recapture the spirit of enthusiasm with which the early years of the first development decade seemed, in retrospect, to have been imbued, and he wanted to achieve that result by means of a document which would set out guidelines much as the Franks report had set out guidelines which shaped Marshall aid to Europe, some twenty years previously.

The two analogies were inconsistent with each other. The enthusiasm of the early 1960s stemmed from the nature of what governments and peoples had *seen*, not from something of which they had been persuaded. The Franks report was persuasive, and it was so in the different, indeed diametrically opposed, context of a question concerning as yet unidentified needs within the framework of an assured relationship. The inconsistency showed up in the preparations for the grand assize as Mr. Woods had conceived it. Was it to be a persuasive exercise; and if so whom was it to persuade, of what, in what context? Or was it to be an analytical document, which would enable already persuaded people to function more effectively? Or was it to be an illuminating document, another historical landmark, revealing more clearly to persuaded people of what it was they were persuaded?

When Mr. Robert S. McNamara took over the proposal, in 1968, he opted for persuasion. Indeed, the option was so explicit that the grand assize was in danger of being written off as a crude public relations exercise before it had even met. A group of prestigious figures was to meet a few times, travel about a bit, read a few papers prepared for it by a secretariat, and within the short space of a year was to produce a report which would miraculously persuade everybody in the development business, or at least most of them, to behave better, with a firmer assurance of results. That, essentially, is the exercise that Mr. McNamara asked Mr. Lester B. Pearson, the former Prime Minister of Canada, to undertake.

This lengthy explanation of the historical background is necessary in order to identify the way in which the Pearson report should be read. It, too, is in its way a historical event, and it cannot be understood detached from its historical context.

Within that context, the document fits well. It has been variously described as impressive, historic (a rather revealing adjective), and so on, and most of

these terms of praise can be wholeheartedly endorsed. On those problems to which it addresses itself, it is authoritative, and the style of its authority reveals an astonishingly comprehensive grasp of the details of the maze. If all its recommendations were implemented, there can be no doubt that the international aid effort would make a far, far greater contribution to the development of poor countries, that the process of development itself would be more beneficial, and that these things – and this is a crucial point – are possible. It is the *possibility* of the Pearson report – how easy it would be to implement at least the more specific of its recommendations – that strikes most forcibly.

Within that same context, however, there are limits on the range of problems to which a group such as the members of the Pearson Commission can address itself. The report is good on its own territory – what is most easily characterized as the "conventional wisdom", which is only a rude name for what people who have done their homework actually know – but it is weak when it moves into those areas in which the major historical changes have not yet taken place, changes which the Pearson Commission was therefore powerless to reflect. That is one reason why its recommendations are so possible. It is reflective, rather than innovative.

The report is at its most solid when it looks back. One would like to think that it had nailed for ever the lie, or the blind error, that the record of the past decades has been one of dismal regression. In the second chapter, it sets out clearly and simply – perhaps too simply, in those areas in which great global statistics can mislead – what has been achieved. This achievement is characterized simply as a "success", which is a pity. What it was was a success relative to the objectives that were set; but to spell out the full definition of "success" in such terms would have required the Commission to scrutinize the objectives themselves more systematically. This it fails to do. It makes the usual cracks about the mixed motives of developed and developing countries alike, performs a few obeisances to the inadequacy of growth as a measure of development, and then passes on, leaving behind a faint foretaste of future failure.

It is solid, still, in its discussion of "the problems ahead", though the phrase itself is somewhat misleading, since what it discusses here are the still unresolved problems which confront governments and development agencies *now*: on that level, it is an excellent catalogue.

As the report progresses, it takes on a more prescriptive tone. On the safe ground of aid, its conclusions are admirable. On project finance, technical assistance and the control of debt it is particularly helpful, setting out a series of small steps which would gradually effect a thorough overhaul, amounting to a total re-conditioning, of these familiar engines. (Rather surprisingly, its recommendations on aid tying are more complex, and depart rather more radically, and more wishfully, from the present state of affairs.)

Before the aid chapters, however, the report has already shown its underlying weakness more clearly in a chapter on foreign private investment. The tone of this chapter is so at variance with the rest, gentle goodwill giving way to a rich man's didacticism, that Professor Arthur Lewis and Sir Edward Boyle explicitly dissociated themselves from it, though the relevant footnote

mysteriously adds that they agreed with the conclusions. What one misses here is any systematic setting out of criteria for choice. The question is not: how do I get more foreign private investment? It is: how do I decide what kinds of foreign private investment I want? But that is not the kind of decision, the kind of choice, that the report takes into account. It regards the framework as given.

With that constraint on its perception, the report is weakest when it looks at the framework itself. Consider the crucial question of the nature of the relationship that the report is discussing, the relationship which it characterizes as one of partnership. What one looks for here is an examination of the processes and institutions which would give this characterization reality. Within what framework, for instance, could one give the developing countries a more effective voice in the decision-making process for aid than they have in New York, where they may speak but remain unattended, or in Washington, where others speak for them and don't say what they would have liked to say themselves? Instead, the report seeks ways of removing decision-making still further, through the institutionalizing of aid co-ordination and its linking with aid "performance". True, the report would have it that one is introducing a greater assurance into the process by relating it to clear criteria. It is forced to admit, however, that one leaves safe ground when one tries to construct criteria that are any more refined than "good, mediocre and bad" (p. 132), which leaves, to say the least of it, a large measure of discretion in the hands of those to whom the governments of developing countries already feel themselves excessively subjected. A few wishful utterances about "an informal understanding expressing the reciprocal rights and obligations of donors and recipients" (p. 127) are hardly adequate to the facts of how these negotiations actually work.

It is failure in this area, perhaps, that leads the Pearson Commission into what is perhaps its most conspicuous deficiency. It is surprising that at the end of the 1960s recommendations on the quantity of aid should include the same kind of target, only slightly more refined, as that which has proved so largely irrelevant, except as a measure of the donors' deteriorating performance, throughout the past decade. The target, one is told, has the merit of simplicity. But simplicity is precisely what one wants to get away from in this area. The quantity of aid should be determined within the logic of situations that arise within the context of a clearly characterized set of relationships. But then, if the relationships have *not* been clearly characterized, but blurred under the label of "partnership", perhaps a simple and probably irrelevant target is the only alternative.

The chapters on the aid relationship and the quantity of aid, however, are not the crux of the report, though the issues they raise may appear crucial to others. The report is focused, not on a relationship, but on a framework. That would be a reasonable approach, but the framework which emerges in the final chapter is in fact no such thing, but rather a nucleus of identified institutions around which a framework might be built. The crucial issue which the report finally identifies in relation to this nucleus is the need to replenish the resources of the International Development Association on a far larger scale than hitherto. The need for such an increase is evident, but one

would feel happier about it as the report's final utterance if it had been related to a rather more critical scrutiny of the World Bank's present practices, and a careful working out of the changes in operational policy which such an increase would imply. In this area, the report, otherwise singularly outspoken, is suddenly timid. The framework is indeed taken as given.

One should admit, in conclusion, that it is not legitimate to criticize a document for not being what it does not set out to be. But what *does* the report set out to be? If it had been advanced as a short or medium term programme of action – a set of recommendations amounting to an agenda for negotiation over the next two or three years – one would happily have accepted it as an extremely competent piece of professional work. But more was asked. In the publicity which has been injected into it, in the claims advanced for it, in its own suggestion that aid could be wound up by the year 2,000, one detects a longing for another historical happening, a new perception. But happenings happen, and what the report underlines is that this one hasn't happened yet. The World Bank and other providers of development finance like to emphasize the importance of making the proper use of consultants. Mr. Pearson and his Commissioners have done a good job. It is a pity that their clients will probably make the wrong use of it.

JOHN WHITE

Cases and Materials on Administrative Law, by Professor PETER BRETT, *University of Melbourne and Peter W. Hogg of the University of Monash.* (*Butterworths Melbourne* 1967; pp. 654 and (Index) 15); £6 17s. 6d.

This is a second edition of Professor Brett's original "Cases and Materials on Constitutional and Administrative Law" from which most of the constitutional law has been dropped, and the whole material on administrative law has been rearranged and added to. The arrangement of material is dictated by the broad problems as seen by the authors; Review by the Courts (and therein Civil and Criminal Prosecutions, Prerogative Writs, Injunctions, Declarations, Statutory Review); Review outside the Courts; the scope of Judicial Review (Law and Fact), that scope in relation to Discretion and in relation to Procedure, attempts to oust judicial review, and finally The Crown. Within these heads material is primarily drawn from Australia, England, New Zealand, and Canada, with reference to United States material. Overall, granted the jurisdiction in which the majority of student users will presumably practice, perhaps there is a surprising weight of English (including Privy Council) material.

Now, it must be admitted that a case book is among the most difficult things there are to review. To criticize most of the material is to criticize judges, who are not the authors and compilers. Moreover, a case book is a teaching tool, and a teacher will seize hold of the material and elaborate in ways in which one would not suspect. Here it must be said that the range of material is good. It is a range on which one could rightly and well elaborate the problems which concern the authors. The questions asked at the end of each "case" section are questions which should disturb students and make them (or any other reader) think. It is true that the "case" element is much

stronger than the "materials" element. There is for example no hint, in relation to inquiries in the U.K., of what percentage of inspectors' reports are final, though such material is important to an understanding of administrative law. It is perhaps also true that the book aims at some Aristotelian concept of administrative law as an absolute. "Perhaps" since the authors do enlarge, though not as fully as is perhaps necessary, on the politico-sociological setting – the attitudes of courts to ministers and legislation in the U.K. and Australia for example. But under such a general title this sort of background argument should be pushed much further. Equally the passage on Ombudsmen needs this background. The essentially different situations in New Zealand, where Sir Guy Powles can work with such efficiency, in Sweden, where there is a backing of public law and of an administrative jurisdiction, or in the U.K., where a Parliamentary Commissioner has to work in an essentially rigid party structure, must be explored if students are to examine an institution, for students will always take what is local as being in the order of nature.

Again, I, admitting all my bias, must challenge under the title of administrative law – even within the common law world, the sentence "Some writers advocated the creation of a similar court of administrative review in common law countries, but, as the Conseil d'Etat seems to have achieved much of its success because of its slow evolution (over a century and a half) it may be doubted whether a radical attempt to reproduce it elsewhere at one stroke would be successful." This raises many questions. The problem, of course, is whether solution A or B is preferable. The fact that country X may have adopted any solution at any point of time is irrelevant. To take a parallel example, it is true that French economists discovered, very late, that for too long they had neglected mathematical economics. Their answer was not to say "tant pis – we are a hundred years too late", but to try to catch up. They have not yet done so, but may well. At the level of detail the assertion is wrong. Of all the cases in Long Weil and Braibant "*Les Grands Arrets*" very nearly two thirds are under fifty years old. The post-war evolution is remarkable. Nearly 40 per cent of the cases are post 1945. That is to say that in the U.K. the 40 years since the Committee on Ministers Powers need not have been left to the locusts. The point would not need making unless one asks why does one teach administrative law at all? You can teach it as an intellectual discipline, involving a whole range of fine and subtle points, in effect schoolmen's stuff, and this is what English administrative law is, and for this purpose Brett and Hogg is an excellent tool. Indeed it is more. It does ask disturbing questions for the good student. It illustrates the confused intricacy of the law and makes the law as clear perhaps as can be, and certainly the book is not one of uncritical acceptance of an unhappy state. All that one would criticize is that it does not ask enough of those questions or lead the student out far enough into the setting and purpose of administrative law. Administrative law is in the alternative about government and must be closely related to that activity and to politics. In modern government one cannot do otherwise than leave to administrators managerial decisions. We need good "public" managers. How do you get them? By hedging them round by procedural rules or by accepting the fact of their function and creating a system of law which equally accepts it and then tidies up so far as

the individual is concerned? Tidying up must not be understood as a minor or insignificant activity. This is the real argument about administrative law. What is its proper purpose and does it achieve that purpose? It is, for example, worth noting the figures in the last *Etudes et Documents* abstracted by Professor Drago of the business of the Tribunal Administratif at Versailles and noting the heavy volume of business concerned with "*responsabilite*". This is the real volcano that the rest of us are sitting on, concerned as we are with procedural rectitude and letting the real complaints of the man in the street go without redress, while all the time we talk about the alienation of government from citizens. The proportions in Brett and Hogg between these two aspects made the point – and perhaps one would have liked in the passages on substantive remedies some reference to *Parker v The Commonwealth.*

Finally, one must agree that the argument opened up in the last paragraph is a political one. A true teacher of administrative law properly so called in the common law world is entitled not to deal with it extensively. One can choose whether to teach a subject or to try to change a system. It may well be more sensible to opt for the former and it may also be more proper to the universities. Professor Brett and Mr. Hogg have done so and as a book for their purpose they have produced a remarkably good book, which is not blinkered – the leads out are there. The excuse for criticism is a belief that there is so little time during which the terms of debate on administrative law must be changed. By the sheer skill of the way in which the narrow points are demonstrated this book may be making the sound point.

J. D. B. MITCHELL

The Rural Base for National Development ed. RONALD ROBINSON and PETER JOHNSTON, *Cambridge University Overseas Studies Committee*, pp. 178, 5s.

The 1968 Cambridge Conference of which this book is the record, came at a very propitious moment for the theme it had chosen. In some ways, the year 1968 represented a turning point in that the impact of the new seeds and other agricultural improvements, as well as the cumulative effect of widespread criticism of previous neglect of the agricultural sector by planners, were beginning to have their effect. This turning point is evident in the fairly optimistic note struck by Dr. Ronald Robinson in his introduction – regrettably shorter than on other occasions – and it also permeates many of the papers and much of the discussion. This optimism is indicated by such key phrases as "high hopes", "agriculture now on the move", "historic turning point", etc., used by Dr. Robinson in his introduction.

But it is also clear that with the new hopes also new problems and dangers are arising. These include the problem of marketing and surpluses in many underdeveloped countries, but above all the question of rural inequalities and rising rural unemployment which may be associated with improved agricultural output and technology. In fact, inequality and unemployment may be directly *caused* by improved technology, unless improved technology is combined with proper social policies. In particular, the need is very urgent to be certain that it is not only the "progressive farmer" (in practice often

the larger farmer or landowner) but also the small farmer (possibly landless and possibly engaged in subsistence production), who will derive the benefit. All this calls for a "two-tier system" in rural development in which productive measures are combined with land reform, education and other action directed towards drawing the lower tier into the expanding rural economy. This need for a two-tier strategy runs like a connecting thread through much of the papers and discussions of this conference.

Considering this acute danger of rural inequalities and unemployment, one feels that in one passage Dr. Robinson is perhaps over-optimistic in taking it for granted that "standards of nutrition and health should rise progressively" in the next decade. One hopes so but . . .

Thirteen interesting and often brilliant papers were presented to this conference and are included in this volume. Within the framework of a brief review there is only time to list their titles and authors. This is done at the end of this review.

In addition to the thirteen papers and Dr. Robinson's Introduction, the volume also contains five "Personal Impressions" of the discussions written by the secretaries of the five study Groups into which the conference was divided. These five "Personal Impressions" read consecutively also give readers of this book in 30 pages or so a very readable and helpful guide through problems of agricultural policy and rural policy in developing countries. The "Impressions" by Mr. Godfrey of Manchester University of the discussion on Social Deterrents and Incentives seem to me particularly brilliant and throw much light on problems of rural unemployment and rural /urban migration. But the other "impressions" – by Mr. Desai of Southampton, Mr. Harvey and Dr. Wilman of Cambridge, and Mr. Levitt of Manchester also are well above the frequent standard of simple discussion records of the "on the one hand – on the other hand" type.

At 5s. this book represents extremely good value for any student of rural development problems and indeed for any student of development economics.

H. W. SINGER

List of Papers Included in the Volume

Sir Joseph Hutchinson, Cambridge University: "The Historic Role of Agriculture in Development".

Dr. K. A. Busia, Ghana: "Social Attitudes to Agriculture".

Erich Jacoby, Stockholm: "Can Land Reform help to establish the Rural Base for National Development?"

Fergus Wilson, FAO; "Education and Training for Agricultural Development".

W. Allan, Cambridge University: "Agricultural Development: Incentives and Disincentives".

Guy Hunter, Institute of Race Relations, London, "Institutional Requirements for Agriculture".

Professor Edmundo Flores, Mexico: "Priorities in Agricultural Production and Rural Industry".

F. J. Heath, Fisons Fertilizers Ltd.: "The Role of Modern Fertilizers in Agricultural Development".

Dr. D. S. Thornton, Reading: "Development of Water Resources including Irrigation".

M. Yudelman, University of Michigan: "Planning the Rural Sector in the National Economy – From the Donor's Viewpoint".

Tarlok Singh, India: "Planning the Rural Sector in the National Economy – From the Recipient's Viewpoint".

R. S. Porter, Ministry of Overseas Development: "What Priorities should Donors give to the Rural Sector?"

Judy Lewis and Stephen Sandford, Ministry of Overseas Development: "Food Aid".

The Ministry of Housing and Local Government, by EVELYN SHARP, *George Allen and Unwin Limited*, 1969, pp. 253, price £2.

Like the other volumes in the New Whitehall Series this recent addition provides an authoritative description of the work of a department of central government in Britain. It explains how the various branches in the Ministry of Housing and Local Government are structured and describes the sort of work they do. Fortunately, the attentive reader will find more in the book than an account of the formal organization and responsibilities of its various branches.

Lady Sharp spent most of her civil service career working in the Ministry, and was its Permanent Secretary for eleven years before her retirement. She explains that the Ministry has four equally important fields of responsibility: public health; housing; town and country planning; and the system, powers and finance of local government. The distinctive feature of the Ministry's work is that it depends entirely on the ability and competence of local authorities – for they are the Ministry's agents for improving the physical conditions in which people live. The main work of the Ministry consists in approving, modifying or disapproving proposals made by authorities, and the departmental philosophy is "that the services with which it is concerned are local services; that the Ministry should see that authorities have the necessary tools and should help them with advice, often derived from initiatives taken by individual authorities; but that beyond this its main responsibility is to see that authorities keep within the law and do not overstretch either their own or the national economy, and that the objections of rate-payers or others to what an authority proposes are given a fair hearing" (p. 26).

In the chapter on public health, for example, we learn of the Ministry's duties in relation to water supply, sewerage and sewage treatment, river pollution, radio-active substances, air pollution, refuse collection and disposal, burial and cremation, coast protection and civil defence. We are told that since 1956 the number of separate water undertakings in Britain has been reduced from nearly 900 to about 200, mostly as a result of orders under the Water Act (though the public are likely to be largely unaware of the extent of

this process). We learn that under the Cremation Act, 1952, proposals for crematoria, both from local authorities and from public enterprise, are scrutinized by the Ministry's engineers and architects because of the requirement for statutory approval, and other staff are concerned with approving the fees charged at crematoria. We are told about the Ministry's activities in relation to air pollution through "the alkali code" (controlling pollution by noxious gases) and "the clean air code" (controlling smoke pollution). Dull facts and figures are made less indigestible by presenting them in the text together with asides and illustrations – such as the reference to the departmental circular of 1960 which solemnly advised local authorities to be lenient with people who like to light their smokeless fires with sticks and paper instead of gas.

The other chapters are mainly concerned with the other functions of the Ministry. There are chapters on local government, housing, planning, finance, and the staffing and organization of the Ministry. The descriptive approach is essentially the same throughout, and the facts embodied will make the book valuable for reference. The style varies slightly and some parts are more interesting to read than others, but perhaps this is the result of the interest the author has in the intrinsic subject matter.

However, the most valuable chapter in the book, at least as far as this reviewer is concerned, is that dealing with the relationship of the Ministry to the local authorities. Lady Sharp explains that in a previous period the Ministry was in a weak position: "responsible for planning it had little power, other than the power to initiate the building of new towns, to see that plans were carried out" (p. 15). Fortunately, "it is the tradition of British local authorities by and large to do what the Government of the day ask them to do" (pp. 28–29) and "face to face authorities almost never fail in friendliness to officers of the Ministry, and are always lavish in their hospitality" (p. 32).

It is in the informal contacts between officers of the Ministry and their opposite numbers in local government that the real exchange of information and points of view takes place. Officials also have many discussions which range from informal talks with the secretaries of associations of local authorities, up to huge gatherings in the big conference room, presided over by the Minister. And officers of the Ministry are in constant touch with officers in the local authorities, "sometimes urging them to more vigorous action, sometimes holding them back; generally discussing their ideas with them before proposals are formally submitted . . . A great deal is achieved simply by the persuasion of Ministers" (p. 20).

Much depends on the close and friendly personal relationships between the various officials: "Officers of the Ministry know their opposite numbers in local government and are known to them" (p. 32), and "the real exchange of information and points of view is mostly made . . . in the more informal contacts" (p. 32). "Many local government officers make it their business to know their way around the Ministry, whom to go to in order to find out how such and such a proposal is likely to fare, or why something seems to have stuck. Some will just drop in to find out what is cooking. Equally officers of the Ministry can turn to the officers of many local authorities for information, for help, for advice. Many members of local authorities also are well known

inside the Ministry and never hesitate to go to the officer concerned with a particular question in order to push a point of view, to demand a quick decision, to talk over a problem" (p. 32).

How universal this process of administration appears to be! The formal relationships within and between various organizations may vary according to many factors; what really makes the Ministry of Housing and Local Government tick can only be understood through an analysis of the informal aspects of organization together with an appreciation of the formal structure and functions. But one wonders whether the informal organization would appear quite so harmonious from points of view other than that of the ex-Permanent Secretary.

RICHARD A. CHAPMAN

Management and World Development by STANLEY HYMAN; *Pitman's*; 139 pp. and index; 27s. 6d.

Through efficient management of international companies aid to developing countries will come about, says Mr. Hyman. Part I of his book describes the current world economic scene, using as a starting point the 1964 UNCTAD meeting. Part II examines the role of business in economic development and pinpoints the international business firm as the best tool for giving foreign assistance to backward countries. Part III considers the relationship between Government and business in the context of Development. This section ends with a profile of the cosmopolitan Manager and a short essay on the theoretical implications of his book as a contribution to the science of management.

Mr. Hyman manages his material well. His factual analysis in Part I is clear, and he evidently felt at home in the UNCTAD 1964 meeting. Part II, the Management of International Business is often illuminating. He divides International Businesses into four groups – those which exploit raw materials – gold, cocoa, sugar or oil – those which live by international trade like UAC or the East India Company. Thirdly those which market British industrial goods, and lastly, those concerned with the invisibles of banking and insurance. He proceeds to analyze why such companies expanded, and the moral and political forces with which they had to contend – with an interesting digression on the career planning of managers.

Receiving countries are assumed to want to take over the foreign concerns in their country even though successful large indigenous businesses, nearly all of which are adjuncts to farm production, are far removed from a successful international trading concern.

In a chapter on the organization of large international firms Mr. Hyman correctly pinpoints the extent of central control, based on the setting of the annual budget, the control of investment, the appointment of senior managers, and the supply of technical advice. The autonomy of the overseas branch or subsidiary company is thus more apparent than real.

Part III of this work is, perhaps inevitably, more open to question. The author realizes that increased Government aid flows, and increased Government regulation of industry generally might, with advantage, be integrated

with the positive intention of aiding development. Thus in time of slack trade the surplus manufacturing capacity in a developed country could produce goods which could be bought cheaply by the Government and sent overseas as tied aid. Britain's total overseas investments – running at about £100 million a year – should, Mr. Hyman asserts, be doubled, finding the resources from our £2,100 million defence budget. Economies in foreign exchange could be found by increased efficiency. For Britain a 1 per cent advance would cut imports by £70 million. A similar sum could be found by substituting home production for trade between developed countries.

Development assistance of the future, based on planning, international integration of effort and resources, controlled credit, acceptance by international concerns of their but temporary control of their overseas branches, and optimum mutual industrialization are regarded as the keys to development. In the longer term Mr. Hyman picks out a World Market Research Service, a World Investment Service, a World Personnel Service and a World Commercial Service as desirable.

An original thinker, Mr. Hyman proceeds to draw a profile of the advanced, developing cosmopolitan manager on whom he pins his hopes. These men, servants of international business, will bring developing countries into the prosperous world.

Space hardly permits an argued critique of this work, but with due acknowledgement to the originality of much of Mr. Hyman's thought one suggests that whilst well aware of what management does, he is not well informed on what makes management tick – nor on how a good manager operates at senior levels. They are not clockwork automates but highly sensitive and skilled assessors of personality and opportunity. The profit motive, the career ambitions, the family and leisure requirements, the life-outside-business of a senior manager in international business are not touched upon. It is the flesh and blood which are missing from this book.

His concept that big international businesses should be content to see their overseas subsidiaries taken over by the host government asks for quite a lot of human patience. If this is to be the accepted pattern of progress the parent concern may understandably postulate a very much higher rate of return than heretofore from the overseas subsidiary before consenting to make the initial investment of talent and resources. This lifts the threshold of expected profit so high that many otherwise viable propositions will be rejected.

It is also difficult to visualize how Mr. Hyman expects the top management of the expropriated overseas subsidiary to remain at a high standard.

If the control of the overseas business is transferred from a developed country to the local government the technical and career links with the parent, which formed the underlying premise on which the overseas subsidiary was founded, are severed. Even with massive intergovernmental aid used to cushion the disruption, it is hard to visualize exactly what sort of a man – brilliant experienced expert – is going to dedicate his best years to the top direction of a company which has foregone its parental links, particularly after the original management team has been dispersed. A man good enough to handle that sort of an international business will be in great demand in the

developed country: and, in default of such a man, that company, like a rudderless ship, is in danger of going on the rocks.

If to avoid this risk, international expertise is lured by aid donors to continue the management without disruption, the logical choice of experts for this purpose will be the original parents. For this service they should logically charge a fee not less than their previous return from their investment. Where then is the gain to the developing country from nationalization?

Thus, though one queries some proposals of Mr. Hyman, one concludes that this is a stimulating thesis which is a useful contribution to the continuing debate on how to prevent "the poor from getting poorer".

D.G.

Other Books Received

The Professional Approach to Community Work, by GEORGE F. THOMASON; *Sands & Co.*, 1969; pp. 192; 9s. 6d.

Throughout the world the last twenty years has seen a growing social consciousness in relation to the problems of human poverty and the many forms that human distress can take. Each year adds to the bookshelves case studies and learned volumes covering the immensely broad field of community work. The role of the social worker grows very rightly in importance – recognized by central and local authorities and with supporting public opinion stimulated by the activities of modern mass media operators who, particularly in affluent industrialized societies, can be sure of a fair degree of favourable reaction from the haves (with an inherent guilt complex, perhaps) vis à vis the have-nots. In much of rural Africa (and no doubt in other lands as well) the structure of kinship can still provide the framework within which wide social responsibilities function to assist those in need. In urban areas and in industrialized societies the Welfare State alone can provide an adequate structure. How this can best be made effective is the subject of Professor Thomason's academic study which will be read very profitably by the professional social workers and the social policy makers. Pure professionalism is not, of course, enough in itself. The more professional a social worker's approach, the more competent he is likely to be in his work, but dedication, a sense of vocation, great sympathy and humanity, with professional arrogance always subordinate to a sense of humility, remain the principal virtues needed.

Case Studies in the Management of Economic Development, by W. J. KEEGAN; *Oxford University Press*, 1969; pp. 68; 13s.

Mr. Keegan has outlined six case studies based on information made available to him in Tanzania, each of which provides interesting and practical problems for the public administrator. Negotiations for a Gin Distillery, third class sleeping accommodation on the Central Railway Line, the mechanization of African farming, Rent or build?, the financing of tobacco growers in Western Region and an Establishment staff problem are the varied field covered; several studies are accompanied by questions aimed at the civil servant student at Staff College or Institute of Administration. The Railway problem might have included the political aspects involved as the government was concerned as a policy matter to improve the lot of the overcrowded third class passenger. It is doubtful whether in 1963 the encouragement of small African farmers at Urambo (or at the successful nearby master growers scheme at Tambi) was regarded as contrary to public policy towards African socialism – certainly the rapid development of African virginia tobacco growing was bringing new and valuable sources of income to many who were previously subsistence farmers only. This case study should perhaps have posed an additional question: did the economics of a young small industry justify the overheads of a paternal corporation, a co-operative society, besides those of the individual farmer?

Teachers of Public Administration throughout Africa and elsewhere in the less developed world should find this modestly priced booklet of real practical value.

Is Britain Really Strike-Prone? by H. A. TURNER. *Cambridge University Press*, 1969; pp. 47; 8s.

To some readers Professor Turner's pamphlet will perhaps seem unexpectedly complacent. Britain's strike statistics are not all that bad compared to many Western countries, so why all the fuss, he seems to ask. That prosperous West Germany suffers far less from economy-damaging strikes would certainly seem half the answer. "The problem of industrial unrest in Britain" he suggests "may be not so much that its incidence is high, as that it is not *too well distributed*" (a strange choice of words which are italicised here). With the national economy in some jeopardy one would

scarcely expect to see strikes considered as an academic exercise of being "well" or "badly" distributed. The point surely is that all too many strikes have occurred in areas that are particularly damaging to the national economy.

From criticism to praise: Professor Turner very rightly draws attention to the false reputation that can be gained by the mass media methods of unbalanced reportage. He concludes "British workers are thought to be remarkably strike-prone for much the same reason as (for example) British students are currently conceived of as "generally revolting". From the point of view of the mass media, good news is no news, and the effect of the selection of the satisfyingly catastrophic is to project the abnormal in behaviour as the norm. Data chosen for its sensationalism, however, is an extremely poor basis for policy."

Contemporary Australia, Ed. RICHARD PRESTON; *Duke University Press,* 1969; index; pp. 569; $13.

Historians, economists and political scientists, together with a geographer, a lawyer and an educational accountant, nineteen in all, contribute to a broad survey of contemporary Australia. The main subjects covered are: historic ties and their evolution; economic problems and policies; labour policy; political problems; external relations; moving into an American Orbit? The editor provides an excellent final chapter in which he writes "Australia's growth from jail to nation is in several ways unique . . . In the course of two or three generations an empty continent was occupied and developed and a homogeneous society was created . . . Australia grew in peace . . .". Prosperity from wool quickly developed after world war II into industrial prosperity so that as Premier Holt once said "diversification had taken a lot of fluctuation out of our economic affairs". Meantime the world has grown larger in numbers while distances have shrunk making Australia an island lying off the shore of Asia – with Saigon nearer to Darwin than Brisbane is to Perth. Once isolated, Australia is now unavoidably and inevitably close to world problems. There will be general agreement, one imagines, with Richard Preston's concluding comment "the picture that is presented is one of vigour and development despite difficult obstacles."

Britain and the Australian Colonies, 1818–1831, by J. J. EDDY; *Clarendon Press*; *Oxford University Press*; bibliography & index; pp. 326; 63s.

In Britain, in America and in Australia, an increasing number of very welcome studies focussing in depth on very short periods of history are now flowing out from University presses, and result no doubt from greater research opportunities now available to scholars. A valuable addition to this library is J. J. Eddy's study of the techniques of government devised and deployed in the British/Australian Colony relationships in the decade that followed the end of the Napoleonic wars – when settlers as well as convicts, cricket as well as common law, were all being exported to the Antipodes. It was in the 1820s, in the early year of the new Colonial Office that steps were first seriously taken to encourage emigration and the disadvantages of the transportation system began to be realised more widely – in time "to prevent New South Wales becoming an Antopedean hell of social dereliction and human despair". How the government machine operated, how the foundations for future economic, social and political development were being gradually laid, are admirably and lucidly told. This volume results from much original research and provides a great deal of useful and hitherto little known material about the administration of Australia in early colonial days.

Politics and Government in Turkey, by C. H. DODD; *Manchester University Press*; bibliography, index; pp. 335; 65s.

The fall of Menderes with the military coup of 1960, the return of civilian rule, the new-look democracy and party system, all this is fully and admirably told by Mr. Dodd, following a short clear and lively historical background to modern Turkey – the West's border outpost in Southern Europe where "real" soldiers seem genuinely to eschew the full reins of power, but prefer to act as effective watchdogs of the national revolution with its military origin.

Action sociale et development, by LOUIS-PAUL AUJOULAT; *Armand Colin, Paris,* for the International Institute of Public Administration; index; pp. 398.

Hommes et Administrations, by J. MINOT; *Gauthier-Villars, Paris*; index, bibliography; pp. 179; 29F.

Professor Aujoulat covers the broad field of social development in the Third World. He is concerned with the problems and needs of people; independence as he points out is no magical solution to the problems of ignorance, hunger and disease. He argues eloquently that aid is not an imperialistic concept, but one that, properly used should be geared to the common task of all peoples to achieve a just degree of economic and social development.

Dr. Minot's book is published in the *Hommes et Organizations* series. He is concerned, in a sense, with the philosophy of administration: administration answers a need, serves a purpose, has an end in itself; when administration errs and strays it tends to degrade itself in bureaucracy, but for administration to be efficacious and human, is always possible – there are degrees of adminstration as of conscience; as the organization of society becomes more complex, the administrative machinery needs to be more powerful and more efficient. "*Ce n'est là qu'une application de la loi de complexité-conscience*".

Politics & Change in Developing Countries; Ed. COLIN LEYS; *Cambridge University Press,* 1969; bibliography, index; pp. 289; 45s.

A lively introduction by the editor is followed by nine varied academic dissertations, including an interesting examination of the One-Party regime in the Ivory Coast by Martin Staniland. In the concluding "Analysis of Planning" Colin Leys seeks the significance of every less developed country having a national plan; there is (alas!) no touch of Arthur Lewis' Guggisberg lectures, in the thoughts that follow; this leaves one question unanswered: why in such a serious study has there been included a naive snippet of woolly theorizing and doubtful conclusions about the Nyakusa? – cloaked in respectability by reference to Phil Gulliver's admirable writings on Rungwe, but, perhaps needless to say, with no mention of Monica Wilson.

Quantitative Methods of Educational Planning, by HECTOR CORREA; *International Textbook Co., Pennsylvania*; tables, index; pp. 242; $7.00.

Authorised by Unesco and ILEP (of which Dr. Correa is a former staff member), this is a specialist book for educational planners. As the Preface points out planning does not require one to be a higher mathematician, but first year algebra is a prerequisite to educationalists who can test their claims to be planners by solving the equations here set out.

Dr. Correa invents "Planiland" and provides his hypothetical country with the statistical information needed to expound the basic logic which he sees underlying the various methodologies of educational planning. The expertise is indeed impressive but one must hope that national and local policy-makers in the field of education will not be blinded by the scientific skills of their experts; mathematics is only one aspect of education.

British Colonial Policy in the Mid-Victorian Age, by W. P. MORRELL; Clarendon Press, *Oxford University Press,* 1969; bibliography, index, maps; pp. 507; 90s.

South Africa, New Zealand and the West Indies are the object of a fascinating detailed study by Professor Morrell. Mid-Victorian England was not nearly so proudly Empire-conscious as is generally believed. There was much debate on the value of the Colonies, much reluctance to spend money, particularly on their defence. Criticism of precipitate action was readily forthcoming (as of Eyre's ruthlessness in Jamaica); one does not expect to find in 1861 reference to "the substance of Imperial power over the Colonies

is gone", nor to British aid (for defence) as "being discreditable to the people of the Colonies calling themselves free". Responsible government was now established in the older colonies (but not in the West Indian Oligarchies); an unostentatious consolidation of Imperial power was under way. During the twenty years from 1853 examined here, the "lush growth of late Victorian Imperialism was not yet discernible" nor signs of the aftermath that the Twentieth Century would be facing a century later.

Province of Freedom: A History of Sierra Leone, by JOHN PETERSON; *Faber & Faber*, 1969; notes, bibliography, index; pp. 301; 70s.

Professor Peterson tells the story of Sierra Leone from Granville Sharp's short lived Freedom Colony to the firm establishment of a dominant creole society a century later. Much of his work is based on original research – written with sympathy and balanced judgment and in a lively style, he provides an excellent picture of Nineteenth Century existence, tough, frustrating, often short-lived, on the West Coast of Africa; gradually free men succeeded in overcoming natural and man-made hazards, a story that should attract a wide range of readers and to those of this Journal there is particular interest in the problem created by the lack of any adequate system of local government to which the author draws attention.

The Home Office 1782–1801, by R. R. NELSON; *Duke University Press*, 1969; appendices, bibliography, index; pp. 199; $9.

The author concentrates on the personnel and organization of the Home Office from 1782 when it first took on its new name and "Home Secretary" soon became current usage, until 1801 when further re-organization took place and the Duke of Portland resigned to assume alternative office. During this period the Colonies came under the Home Office and its range of functions were multifarious. Dr. Nelson has provided historians and students with a source of much valuable information resulting from his considerable research into the functions of a foundling Ministry in a period of exceptional strains and stresses of war and unrest.

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